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MDC Public Access Plan

Quabbin Reservoir Watershed System

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*Metropolitan District Commission
Division of Watershed Management
January 1998*

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Aerial view of the Quabbin Reservoir - Clif Road.

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**MDC PUBLIC ACCESS PLAN
QUABBIN RESERVOIR WATERSHED SYSTEM**

JANUARY 1998

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I. Public Access Plan Update

A. Introduction

The Metropolitan District Commission (MDC), Division of Watershed Management's (DWM) newly drafted "MDC Public Access Plan - Quabbin Reservoir Watershed System" is designed to guide and control recreational usage of approximately 100,000 acres of MDC managed lands and waters for water quality protection, ecological reasons, as well as for administrative and maintenance purposes. "MDC Public Access Plan - Quabbin Reservoir Watershed System" is an update of MDC's 1988 "Quabbin and Ware River Watersheds Recreation and Public Access Policy and Plan" hereto after referred to as the 1988 Plan. When adopted, this 1997 Plan will take the place of the 1988 Plan. However, unlike the 1988 Plan, this Plan does not address public access issues within the Ware River Watershed. Therefore, all 1988 public access policies found in the 1988 Plan relating to the Ware River Watershed will remain in effect until a new plan has been developed to replace the Ware River Watershed section of the 1988 Plan.

The Division of Watershed Management's Quabbin Section staff, with the help of the Quabbin Watershed Advisory Committee (QWAC), the Water Supply Citizens Advisory Committee (WSCAC), and the general public, has worked together to update the "MDC Public Access Plan". The new plan meets the requirements of MGL ch. 92 Sections 106 and 116, which require the MDC to develop watershed management plans that consider recreational activities. In addition, our updated plan is part of MDC's watershed protection efforts. For example, this plan addresses part of the MDC's "Proposed Action" for Recreation Activities found in Section 4.2.4 of the MDC's 1991 "Watershed Protection Plan for the Quabbin Reservoir Watershed" which identifies recreation activities as a high priority threat in the Quabbin Reservoir Watershed System (QRWS).

The Division's process to update the 1988 Plan focused on areas where:

- current threats to the water supply from public access and recreational activities exist and a revised policy is needed to reduce these threats;
- the 1988 Plan conflicted with more recent federal, state, or agency regulations or scientific information; or
- the public access policies were unclear or nonexistent in the 1988 Plan.

The "MDC Public Access Plan" contains new maps of the management areas - areas within the Quabbin Reservoir Watershed System (e.g., Quabbin Park); a Public Access Summary describing managed recreational activities grouped by activity type and classified by management area; and a concise glossary. These sections were added in order to make the document more readable and understandable to the general public.

The "MDC Public Access Plan - Quabbin Reservoir Watershed System" consists of five sections with the following objectives and key points:

I. Public Access Plan Update

This section provides the multifaceted context in which the "MDC Public Access Plan

- Quabbin Reservoir Watershed System" was updated in 1996. Part A provides some background information on the function of the MDC Division of Watershed Management (MDC/DWM) with respect to the MWRA/MDC water system (Figure 1) and specifically with respect to the Quabbin Reservoir Watershed System. Next, Part B outlines the potential impacts caused by recreational activities in an unfiltered, public watershed system in New England. Part C identifies the primary, regulatory considerations at the federal, state, and agency levels, related to the protection of safe drinking water. Part D summarizes public input received by Division staff since the implementation of the 1988 Public Access Plan and specifically during its update. Finally, Part E describes the specific goal of the "MDC Public Access Plan - Quabbin Reservoir Watershed System" for the Quabbin Reservoir Watershed System.

II. Master Policy Statement

This section states the Division's recently revised Master Policy Statement regarding public access and recreation management in the Quabbin Reservoir Watershed System.

III. Public Access Policies - Quabbin Reservoir Watershed System

This section describes the general and specific policies related to public access in the Quabbin Reservoir Watershed System.

IV. Public Access Fact Sheets

This section contains a collection of thirty, Public Access Fact Sheets. All of the MDC's public access policies have been updated and clarified. MDC has changed eight policies to better comply with current state and federal regulations. MDC has formatted the Public Access Fact Sheets to include MDC's specific policy, if applicable, as well as MDC's general public access policy. Next, MDC has included a brief discussion of each access activity. In some cases, public access maps illustrate MDC's policy where designated areas are required. Finally, MDC's public access policies are summarized in the *Public Access Summary* and *Quabbin Reservoir Watershed System Map* (Figures 2 & 3).

V. Next Steps

This final section describes MDC's monitoring and evaluation steps in implementing its Public Access Plan. A brief conclusion summarizes the purpose of MDC's revision to and use of the "MDC Public Access Plan - Quabbin Reservoir Watershed System."

Appendices

MDC recognizes that our reading audience's interest level will be wide ranging. For this reason, MDC has included a fairly lengthy set of Appendices.

GENERAL PLAN OF MWRA WATER SYSTEM



Figure 1: The general plan of the MWRA/MDC public water supply system.

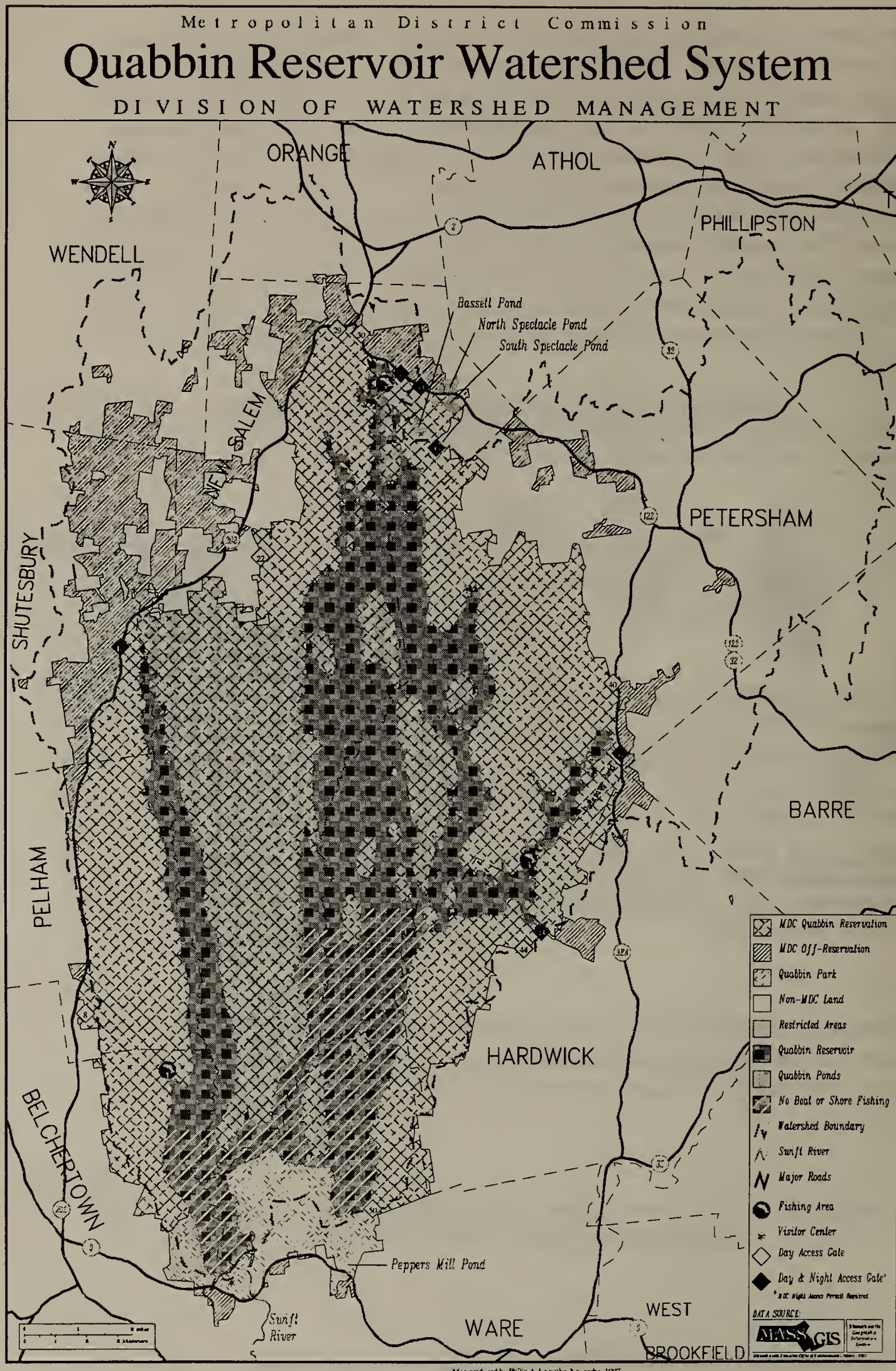


Figure 2: The Quabbin Reservoir is a public water supply for 2.5 million residents.

B. Background

The Division of Watershed Management of the Metropolitan District Commission is responsible for the stewardship of a system of source reservoirs and their respective watersheds commonly known as the MWRA/MDC Water System (Figure 1). The Division manages the Quabbin Reservoir Watershed System, Quabbin Reservoir, and adjacent watershed lands (Figure 2) as a public water supply system. The Division's primary goals are the protection of both water quality and water quantity, although its legislative mandate (MGL ch. 92, sect. 104) also calls for the conservation of other natural resources on its land holdings.

In the 1988 Plan, the Division addressed public access policies of both the Quabbin Reservoir and the Ware River watersheds. Due to the different characteristics between the two watersheds, the Division recognizes that individual public access plans will more effectively address watershed level issues and solutions related to public access. Thus, this Plan addresses only the Quabbin Reservoir Watershed System. Therefore, all MDC public access policies and plans relating to the Ware River Watershed and found in the 1988 Plan will remain in effect until a specific plan is developed to replace the 1988 policies. Currently, the Division has begun to draft "MDC Public Access Plan - Ware River Watershed." MDC's decision to separate these two watersheds with different characteristics is well-aligned with the Executive Office of Environmental Affairs' (EOEA) support of watershed-based approaches to managing environmental affairs in the Commonwealth of Massachusetts.

The MDC had three primary objectives in its review and update of the 1988 Plan. First the Division recognized that since 1988, new public access activities previously not specifically addressed by the 1988 Plan are now increasingly popular and prominent issues in the region. Therefore, the Division needed to specifically address these new recreational pressures. Secondly, the Division recognized that many public access policies were not clearly defined for the general public and thus, caused confusion in interpretation. Therefore, the Division needed to clarify areas of confusion and define policies for public access in cases not specifically addressed. Finally, since 1988, important rules, standards, and policies to protect safe drinking water have been issued at the federal, state, and regional levels. Therefore, the Division needed to better align its public access policies to fulfill federal, state, and regional regulatory requirements and new scientific information. Many of these new regulations protect safe drinking water and thus have directly influence the Division's public access policies.

The MDC's update of the 1988 Plan therefore, addresses policy gaps, clarification issues, and new information - specifically regulatory changes and technical literature. Simultaneously the Division received local, public input toward resolving public access concerns. With this approach, the resulting "MDC Public Access Plan - Quabbin Reservoir Watershed System" will serve as a comprehensive management tool and guide in MDC's water quality protection efforts related to public access in the Quabbin Reservoir Watershed System.

C. Potential Threats to the Public Water Supply - Quabbin Reservoir

The Quabbin Reservoir is well recognized as a high quality source of drinking water. No waterborne disease outbreak has been identified as caused by this water supply. This updated Public Access Plan will be implemented to further protect the Quabbin Reservoir, an important public water supply, from the potential and actual threats specifically attributed to recreational and public access activities.

Potential Contamination from Recreation

Recent studies conducted by water resource associations (AWWA, 1995; AWWARF, 1991) confirm that recreation is one of several non-point sources of pollution that currently threatens the nation's surface water supplies. While all uses of watershed resources inherently pose the threat of pollution, recreation is of particular concern to water suppliers due to the relatively high risk to public health by introducing viral, bacterial, and parasitic pathogens into the water supply from human activity and the presence of domestic animals. The "Watershed Protection Plan for Quabbin and Ware River Watersheds" (Rizzo Associates, 1991) evaluated all potential causes of water pollution in the Quabbin Reservoir Watershed and recreational impacts were found to be a high, public health risk.

The potential introduction of pathogens from human feces into the Quabbin Reservoir is very real. For example, a survey of more than 500 visitors to recently installed portable toilets in Quabbin Reservation and Quabbin Park found that the majority of visitors had used the woods or even defecated in the water before the facilities were provided (MDC, 1994). Secondary impacts from recreation include shoreline erosion, fuel spills, destruction of vegetation, fires, trash, vandalism, and dumping of hazardous materials.

The nation's public health officials now warn that the parasites *Cryptosporidium* and *Giardia* threaten public health at a national level. These pathogens are most commonly associated with fecal excrements from humans and animals. Control and monitoring of public access in sensitive areas in a watershed is an important part of ensuring a safe drinking water supply.

Waterborne Diseases

Public health strategies for the control of waterborne disease outbreaks (WBDO) have been developed since the early twentieth century. The basis of this strategy has been a dual barrier approach to protection of drinking water supplies. In the case of the Quabbin system these barriers are watershed protection and disinfection (chlorine). Public health officials have cited four classes of waterborne sickness: bacterial, viral, parasitic, and chemical poisoning. These three classes are associated with the following waterborne diseases (Craun, 1992; Rose, 1990): Cholera, Hepatitis A & E, Typhoid, Salmonellosis, Shigellosis, Legionellosis, Giardiasis, Cryptosporidiosis, and Microsporidiosis.

Although bacterial agents have been identified for outbreaks of acute gastroenteritis (*E. coli*, *Campylobacter fetus* spp. *C. jejuni* and *Yersinia* spp.), protozoan agents account for most of the recent outbreak phenomena (Craun, 1992). In fact, recent trends in waterborne disease indicate that *Cryptosporidium* and *Giardia* currently pose the greatest waterborne risks to human health (IWEM, 1991; Craun, 1992 & 1990). Recent outbreak data document that 291-waterborne disease outbreaks occurred in the US between 1980-1990 (Craun, 1992). Almost half of these outbreaks resulted in acute gastroenteritis from an undetermined

etiological agent. Many outbreaks may have been caused by viral, parasitic, or bacterial agents which would not be identified even after extensive analysis (Craun, 1992; Herwaldt, 1989). In addition, it is estimated that only a fraction of WBDO's is recognized, investigated, and/or reported to the Center for Disease Control (CDC) or the United States Environmental Protection Agency (US EPA). The CDC estimates that one million cases of illness per year are associated with waterborne disease (Rose, 1994). Moore et al. (1993) conclude:

"...evidence suggests that a substantial proportion of non-outbreak-related diarrheal illness may be associated with consumption of water that meets all current water quality standards."

Rose (1994) concurs with this conclusion that low concentrations of pathogens in drinking water may be associated with endemic disease, given current risk assessment models. During the 1980's the principal cause identified for WBDO's was the *Giardia* parasite, with 54% of outbreaks occurring in unfiltered, chlorinated surface water supplies (Rose, 1994). The *Cryptosporidium* parasite has been identified in an increasing number of outbreaks in more recent years and is generally associated with larger outbreaks in filtered, chlorinated surface water supplies (for example, *Cryptosporidium* outbreaks in Georgia in 1987 [13,000 cases] and in Milwaukee in 1993 [estimated 403,000 cases]) (Levine et al, 1992 and MacKenzie et al, 1994). However, *Cryptosporidium* represents a large potential threat to unfiltered water supplies because of its high resistance to chlorination and ubiquitous occurrence (for example, Akhter (1994) found *Cryptosporidium* presents in 65-87% of surface water samples tested throughout the US).

Today, *Giardia lamblia* is the most frequently identified parasite associated with diarrhea in the US and may be found in 5-12% of the population. *Giardia* has been responsible for more than 100 waterborne disease outbreaks since 1966 (Rose, 1994). The estimates that 60% of all reported outbreaks of giardiasis were caused by contaminated water supplies.

Cross-transmission of Pathogens

Cross-transmission of disease organisms, such as *Giardia lamblia*, from humans, dogs, or horses to beaver, muskrat, and then back into humans within the Quabbin Reservoir Watershed System is of great concern and one of the major reasons for land access restrictions.

Giardia is an enteric pathogen spreading through fecal-oral transmission (Rose, 1994). Outbreak studies have clearly shown that sources of the pathogen include humans and wild and domestic animals (Craun, 1992). Several studies over the past decade have confirmed that cross-transmission of *Giardia lamblia* occurs between humans and animal species (Craun, 1992; Akin & Jakubowski, 1986; Metzmaker, 1986). An early cross-transmission study conducted by Davies (1982) found that *Giardia* cysts were not host-specific and would readily establish in other species. His test results confirmed cross-transmission of giardiasis between humans, dogs, cats and beaver. Davies (1982) states that all of these species are important as potential sources of *Giardia* for epidemics of waterborne giardiasis. He noted, however, that beaver played the most important role in transmission because of its closer association with water sources used for domestic and community water supplies.

Water Quality Protection and Recreational Use of Water Resources

Recreational use of water supply resources has always been a controversial issue due to the inherent conflict between "use" and "protection" of these resources. Professional water works' associations have traditionally maintained that recreational use of water supply resources is contrary to the prevention of waterborne disease due to the threat posed by humans and animals. Since 1958, the American Water Works Association (AWWA) has endorsed a policy that prohibits recreation on reservoirs used for drinking water supply. The New England Water Works Association (NEWWA) has historically endorsed surface water protection programs that uniformly prohibit recreation on all source waters and limits recreational use of water supply land.

The basic premise of source protection is that cleaner water will reduce the occurrence of disease causing organisms and require less treatment to provide safe, potable water. NEWWA recommends that the principles of source protection be used to guide all decisions regarding recreational use of water supply lands (refer to Appendix A). Finally, the AWWA's Research Foundation conducted a nationwide survey (AWWAR, 1991) of watershed management practices and concluded that access controls used to prevent trespass activities are among the most important measures that can be undertaken to ensure adequate protection of source water supplies.

Specific Recreational Problems within the Quabbin Reservoir Watershed System

Specific public access and recreational restrictions are in place to protect the water intake areas of both the Quabbin Aqueduct and the Chicopee Valley Aqueduct (CVA). MDC strives to protect these areas from the introduction of human associated diseases directly into the drinking water supplies. MDC views protection of the water and land surrounding the intakes from pollution by human, animal, and other sources as critical. For example, the MDC has designated a protection zone around the CVA intake. The intake area is the last area of open water before the water leaves the reservoir and enters the distribution system for the CVA communities. The Division relies on the natural forces in the environment to reduce potential threats to public health. There are many natural forces which act upon pollutants to either dilute, biodegrade, or kill harmful microorganisms. These forces include natural die-off of harmful organisms from ultraviolet light, temperature extremes, dilution or dehydration, as well as natural predation, physical binding, or filtration. Dilution and biochemical changes also work upon nonviable pollutants to reduce their toxicity. The farther away from the intake areas and structures the pollutant is introduced into the environment, the greater the opportunity for these purifying actions to take place.

Having a restricted zone around the CVA intake, decreases acts of sporadic, unplanned vandalism to the water supply or intake building in that area. Before shore access restrictions were in place, people would throw all kinds of materials out on the ice. Rocks, trash, sticks, and even a used motor oil can were found on the ice near the CVA intake. Since the imposition of shore line restrictions, no foreign objects have been found on the ice. Therefore staff time and money are not spent on trying to determine if water samples or other actions need to be taken in response to foreign substances on the ice or in the water near the intake and if the water is safe to drink.

Since the 1988 Plan was adopted, a number of recreational activities that were restricted or

controlled under that plan still have the potential to create water quality problems. A significant risk for water quality contamination still exists because of a widespread noncompliance for certain activities. These activities are illegally walking dogs on MDC property, and riding bikes and cross country skiing in restricted or nondesignated areas. The main attraction for all of these activities is the shoreline of the Quabbin Reservoir.

D. Regulatory Overview

The delivery of pure drinking water to consumers' taps is a highly regulated activity in the United States, with both federal and state laws requiring water providers to meet rigorous water quality standards. Federal regulations are administered by the U.S. Environmental Protection Agency (EPA), while in Massachusetts, the Department of Environmental Protection (DEP) has primacy and primary responsibility for assuring compliance with state and federal regulations.

On the federal level, the Safe Drinking Water Act (SDWA) provided the legal authority for the promulgation of regulations designed to protect water supplies from bacterial and other microbial contaminants. The 1986 reauthorization of this act spawned the Surface Water Treatment Rule (SWTR), which tripled the number of contaminants that had to be monitored on a regular basis, and also required mandatory filtration of surface water supplies unless specific criteria for effective watershed management and source water protection were met.

The requirements of the SWTR are also included in Massachusetts regulations regarding surface waters (i.e., Surface Water Quality Standards - 314 CMR 4.00, 314 CMR 9.00 and 310 CMR 10.00) and drinking waters (i.e., Drinking Water Quality Standards - 310 CMR 22.00). The Massachusetts DEP also requires that water suppliers that obtain a filtration waiver must develop and implement an effective watershed protection plan as well as additional disinfection requirements.

In 1991, the MWRA and MDC developed a comprehensive "Watershed Protection Plan" (WPP) for the Quabbin Reservoir watershed to comply with the SWTR and DEP regulations. In this plan, recreation was identified as one of five activities that posed a high potential threat to water quality. Accordingly, the plan recommended that MDC monitor and control the types, levels, and locations of recreational activities on MDC lands to prevent water quality impacts.

Partly in response to the recommendations in the 1988 "Quabbin Public Access and Recreation Policy and Plan" and the WPP, MDC updated its own regulations regarding public use of its watershed lands (i.e., 350 CMR 11.00) in 1994. This update included additional restrictions on certain activities (e.g., bringing domestic animals onto MDC watershed lands) that the WPP had identified as potential threats, but also provided needed clarification and consistency in the regulations.

In many cases, the revised regulations are specific enough to dictate if, where, and when individual recreational activities can take place. In other cases however, the regulations only provide general guidance, leaving the specific policies to be determined by MDC administrators. In the latter situation, a number of factors are considered in setting those policies, including compatibility with management or other activities, existing information on

the potential impacts of the activities being considered, results of watershed and reservoir modeling and other research efforts, and public input.

E. Local Public Input

Public Workshop

On June 27, 1996, the Division of Watershed Management hosted a two-hour workshop for the general public on MDC's work in updating the 1988 "Public Access and Recreation Policy and Plan." The Division's goal for the workshop was to solicit input from the local public regarding public access and recreation management issues in the Quabbin Reservoir Watershed System. Specifically, the Division sought local public input regarding six areas of interest:

- dogs and horseback riding;
- bicycling;
- night access;
- cross-country skiing;
- boating or boat fishing on ponds; and
- other activities - metal detecting, target shooting, and advertising.

In addition, the Division hoped the workshop attendees would identify other areas of concern or confusion. During the workshop, the audience and Division staff discussed a variety of issues. There were approximately fifty workshop participants. In all, eleven worksheets with written comments were returned to Division staff. The Division has summarized this public input in Appendix C. The public's input has been incorporated into several of MDC's public access policies. MDC will collect and evaluate future public input during the public input process.

Public Hearing

On October 7, 1997, at 7:00 p.m., the Division of Watershed Management opened a public hearing on the "MDC Public Access Plan - Quabbin Reservoir Watershed System" draft Version 19. Approximately fifteen individuals attended the public hearing. The purpose of the hearing was to collect public comments regarding the Division's update of its 1988 Plan. Two weeks prior to the hearing, the Division mailed copies of the Plan to watershed communities' Select boards and public libraries. Along with the Plan, the Division mailed a press release and letter asking the Selectmen and librarians to post the Division's press release and public hearing notice in the town hall (Appendix C). In addition to publishing the Public Hearing notice in two local newspapers, and the Environmental Monitor, the Division notified local Advisory Committee members (e.g., WSCAC and QWAC), State Representatives, EOE agencies, the Massachusetts State Police, Massachusetts Water Resources Authority, more than ten environmental groups, and over forty concerned citizens.

William Pula, Superintendent of Quabbin Section, opened the evening hearing with a welcome address which reviewed the meeting's agenda. First, William Pula presented an overview of the major federal regulation for public water supplies. Mr. Pula also emphasized that the Plan is an important element in MDC's Watershed Protection program because it demonstrates that we limit and control specific recreational activities in the watershed. Following William Pula, Robert O'Connor, Director of Natural Resources Section, compared the 1997 draft

Plan against the 1988 Plan (see Appendix D). Mr. O'Connor outlined the activities with an unchanged policy (e.g., hiking in nonrestricted areas), areas with new policy (e.g., establishment of CVA protection zone and prohibition of horseback riding on all watershed lands), and areas where the Division's policy has been clarified (e.g., fishing on off-watershed ponds). Four specific public comments were received during the hearing and are summarized below (see also Appendix C). Pula closed the public hearing on October 7, 1997. The twenty-one-day public comment period was closed on October 28, 1997, at 7:30 p.m. An informal, question and answer period followed the public hearing.

Summary of Public Comments Received on October 7, 1997

Name/Organization	Comment (summarized):
Tom Berbe, MA Sportman Council	Tom expressed concern regarding MDC's policy with respect to night access to South Spectacle pond. He supports allowing night access, without a permit, on South Spectacle pond because it is outside of the Reservoir's watershed. Tom was interested in a Special Olympic hunt for paraplegics. He asked that the MDC expand the controlled deer hunt to include paraplegics. Tom was concerned with Quabbin fishing area fees. He asked the Division to lower the fees.
Bill Elliott, WSCAC	The Water Supply Citizens Advisory Committee (WSCAC) has reviewed the proposed changes and supports the Plan as written.
Betty Buousquet, FOQ	The Friends of Quabbin (FOQ) agrees with the Plan as written.
Joe Kraus, Granby	Joe would like to see certain areas within the Quabbin open to mountain biking and kayaking in designated areas.

Quabbin Science and Technical Advisory Committee (QSATAC)

On October 23, 1997, Division staff presented the draft Plan to the Quabbin Science and Technical Advisory Committee (QSATAC) during an evening round table discussion. The QSATAC is a group of natural resource management professionals, academics, and local citizens, which provides guidance to the Division regarding its current and future research efforts. QSATAC made the following suggestions during this informal discussion.

- Use the MDC's "Land Management Model" which uses yearly public meetings to collect specific public input related to MDC's management decisions.
- Maintain the "Plan" in a loose-leaf booklet to allow for more convenient updates
- Expand the Public Access Summary to include activities which are allowed.

- Consider adding an Annual Event to enhance educational efforts regarding Land Use History in partnership with Harvard Forest's Skinner Museum.
- Develop a simple process, in addition to current MDC Public Hearings, for the public to make suggestions to DWM management of the Public Access Plan.
- Reconsider controlled Public Access to Mt. Zion and develop a historic/natural history, interactive walk along Webster Road.
- Integrate Watershed Rangers' data collection efforts which quantify and qualify regulatory infractions related to Public Access events.
- Distribute the Public Access Summary at access points (e.g., MDC gates) to increase public education efforts to reduce regulatory violations.

F. The Goal of the Plan

The Division of Watershed Management's overarching goal for its public access policies is to protect the water quality of the Quabbin Reservoir, a public drinking water supply, from the direct and indirect threats to water quality from the negative impacts of public access and recreational activities within the Quabbin Reservoir Watershed System. To that end, the MDC has developed the "MDC Public Access Plan - Quabbin Reservoir Watershed System" which provides specific management policies for public access and recreational activities within the Quabbin Watershed System. MDC has developed its general and specific public access policies to protect the Quabbin Reservoir, an unfiltered, public water supply for current and future generations. The "MDC Public Access Plan - Quabbin Reservoir Watershed System" will guide and control public access and recreational usage in a comprehensive manner with the most current information available.

II. Master Policy Statement

Public Access to the Quabbin Reservoir Watershed System

Public access to and the recreational use of the Quabbin Reservoir Watershed System, the Quabbin Reservoir, and MDC-owned land, is limited, controlled, and monitored to protect the public water supply by reducing public health risks. Public access to and recreation within the Quabbin Reservoir Watershed System will be consistent with Chapter 737 of the Acts of 1972, Chapter 372 of the Acts of 1984, and the 1994 Massachusetts Watershed Protection Regulations (350 CMR 11.00). Except for those activities specifically authorized by statute or existing MDC regulations, any new access and/or recreational activities or significant changes to existing access and/or recreational activities may be permitted only when they do not conflict with ongoing watershed management activities and authorized research, and do not degrade the following values:

- public water supply
- apparent wilderness character
- natural resources
- historic and prehistoric sites

Existing authorized activities, whether authorized by statute or regulations, will be periodically evaluated to determine if they conflict with the above values. If conflicts are identified, appropriate efforts to eliminate or minimize negative impacts will be made.

III. Public Access Policies

Quabbin Reservoir Watershed System

Public access to the Quabbin Reservoir Watershed System is regulated by both general and specific MDC Public Access policies. These policies depend on the type of activity which may be limited or restricted to specific management areas in the system or to general times, seasons, or other considerations. Therefore, the MDC has provided both a summary chart and an accompanying map to guide the general public's requests for access to the Quabbin Reservoir Watershed System.

A. Public Access Summary - Quabbin Reservoir Watershed System

The Division's staff has developed the following summary (Figure 3) to better communicate MDC's updated policies for public access and recreation within the five management areas of the Quabbin Reservoir Watershed System (QRWS). These five management areas are listed below:

- the Quabbin Reservoir;
- the Quabbin Park;
- the Quabbin Reservation;
- the Off-Reservation lands; and
- the Off-Watershed or other lands not included in the above areas.

In this summary, the Division has classified public access and recreational activities as either 1) allowed with general and/or specific restrictions (in 350 CMR 11.00) or 2) prohibited. All authorized activities, unless otherwise indicated, must also follow the general access policies. MDC's general public access policy includes access through designated points of entry (e.g., through MDC gates), access hours (e.g., one hour before sunrise to one hour after sunset). In addition, MDC's general access policy prohibits public access to specifically restricted areas (e.g., areas which are posted and mapped) in the Quabbin Reservoir Watershed System.

In general, most authorized activities have specific restrictions which limit access to designated areas or times. In some cases, public access may require special MDC permits. For example, public access to Quabbin Park for a wedding ceremony requires a MDC Ceremony Permit.

B. Quabbin Reservoir Watershed System Map

The Division's staff has also developed the following Quabbin Reservoir Watershed System Map (Figure 4) to accompany the Public Access Summary. Each of the five management areas detailed in the summary is clearly designated on the System map. Specific reference points have also been delineated, including the Visitor Center near the Winsor Dam, major highway routes, and the three designated boat launch areas. In addition, the Division has included its restricted areas within the watershed lands and on the reservoir on the System map.



PUBLIC ACCESS SUMMARY
QUABBIN RESERVOIR WATERSHED SYSTEM
MDC - Division of Watershed Management

Activity	Quabbin Park	Quabbin Reservation	Off- Reservation	Quabbin Reservoir
VEHICLES				
Motorized				
Off-Road	⊘	⊘	⊘	⊘
Snowmobiles	⊘	⊘	□	⊘
Other Vehicles	1	1	1	⊘
Non-motorized				
Bicycles	2	3	4	⊘
Sleds	5	5	5	⊘
FOOT ACCESS				
Hiking (Walking & Snowshoeing)	6	6	6	⊘
Cross-Country Skiing	⊘	⊘	7	⊘
Hunting & Trapping	⊘	8	□	⊘
Ice Fishing & Ice Skating	9	10	□	⊘
Shore Fishing - Reservoir	⊘	11	NA	11
Shore Fishing - Ponds	9	10	□	11
Stream Fishing	12	11	□	⊘
Fires & Cooking (Includes gas grills)	⊘	⊘	⊘	⊘
WATER ACCESS				
Boat Fishing on Reservoir	⊘	NA	NA	13
Boat Fishing on Ponds	9	13	□	NA
Boating on Ponds	9	10	NA	NA
Swimming	⊘	⊘	⊘	⊘
Wading	14	15	15	16
OTHER ACTIVITIES				
Alcohol (Possession of)	⊘	⊘	⊘	⊘
Organized Sports	17	17	17	⊘
Night Access	18	19	⊘	⊘
Assemblies (Weddings, etc.)	20	20	20	⊘
Domestic Animals	⊘	⊘	⊘	⊘
Horseback Riding	⊘	⊘	⊘	⊘
Collecting	⊘	⊘	⊘	⊘
Metal Detecting	⊘	⊘	⊘	⊘
Camping	⊘	⊘	⊘	⊘
Fishing Derbies	⊘	⊘	⊘	⊘
Target Shooting	⊘	⊘	⊘	⊘
Advertising (Placing of Signs)	⊘	⊘	⊘	⊘
Trail Marking (Unauthorized)	⊘	⊘	⊘	⊘
Other	Check with Visitor Center			

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Matrix by T. Campbell

LEGEND:



Allowed with general & specific access restrictions - see next page.



Prohibited.

NA

Not Applicable.



Allowed with general access restrictions.

Figure 3: Public access is allowed with restrictions or prohibited depending on the activity.

PUBLIC ACCESS SUMMARY Quabbin Reservoir Watershed System

The Commission and its employees are not responsible for any damage to or loss of property sustained by visitors or for any injury or loss of life which may be incurred in connection with public use of the reservoir or watershed system.

Trash barrels are for travel trash only. Littering is strictly prohibited. "Carry in/carry out" policy in force in most areas.

- ☐ General public access within the Quabbin Reservoir Watershed System is restricted to one hour before sunrise and one hour after sunset through gates or designated (posted) areas only. Any activity which injures or defaces the property of the Commonwealth is strictly prohibited. This matrix is based on the Watershed Protection Regulations (350 CMR 11.00) copies of which are available at the Quabbin Visitor Center.
- ☒ 1 M.D.C. permits are required for vehicle access into gated areas, for pedestrian night access, for group access (more than 25 persons) or for any access in areas closed to the general public. See the map.
- ☒ 2 Bicycling is allowed only on paved roads in Quabbin Park.
- ☒ 3 Bicycling is allowed on designated roads only through the following gates: 29, 30, 35, 40, 43, and 44.
- ☒ 4 Bicycling is allowed on main forest roads within all Off-Reservation Lands. Contact the Quabbin Visitor Center for more information. See the map.
- ☒ 5 Sledding or any other kind of sliding activity is prohibited on the reservoir, the dams and other structures.
- ☒ 6 Hiking and walking activities are allowed within the Quabbin Reservoir Watershed except in the following restricted areas: Prescott Peninsula, posted Administration areas near Winsor Dam, Reservoir islands and along baffle dams between November 15 & June 15.
- ☒ 7 Cross-country skiing is allowed in designated areas Off-Reservation only. See the Quabbin Watershed System Public Access Map.
- ☒ 8 Hunting and trapping are prohibited except by special permit during the Quabbin Controlled Deer Hunt. Contact the Quabbin Visitor Center for more information.
- ☒ 9 Ice fishing, shore fishing, ice skating and carry-in boat access are allowed on Pepper's Mill Pond (off watershed) only.
- ☒ 10 Ice fishing, ice skating, shore fishing, and carry-in boat access are allowed on South Spectacle Pond and Bassett Pond only.
- ☒ 11 Shore fishing along the Reservoir and along streams is permitted between Gates 22-44 & 8-16 by foot during the regular Quabbin fishing season only. See the Quabbin Fishing Guide available at the Quabbin Visitor Center for designated shorelines.
- ☒ 12 Catch-and-release fly fishing with waders is allowed all year in the Swift River below Winsor Dam.
- ☒ 13 Boat access for fishing only requires a valid Massachusetts fishing license. Contact the Quabbin Visitor Center at 413-323-7221 for more information regarding boating requirements and the Quabbin Fishing Guide. Fishing access using canoes or jon boats is allowed only through Gate 31 above the regulating dam and through Gate 43 on Pottapaug Pond.
- ☒ 14 Wading is allowed below the Winsor Dam Power Station on the Swift River.
- ☒ 15 Wading with boots is allowed in Quabbin Reservoir Watershed System tributaries except in restricted areas.
- ☒ 16 Wading is allowed in the Quabbin Reservoir only while using boots for the purpose of launching boats at designated boat launch areas.
- ☒ 17 Organized sports are allowed only with written permission by the Commission.
- ☒ 18 Night access within Quabbin Park is prohibited with two exceptions. It is allowed without a permit on Pepper's Mill Pond and on Swift River below Winsor Dam if access to these areas is from Route 9 (trial basis).
- ☒ 19 Night access is allowed by M.D.C. permit for pedestrians through Gates 16, 31, 33, 35, 41 & 43 only during the Quabbin fishing season. Night access without a permit is allowed on South Spectacle Pond (off watershed). Contact the Quabbin Visitor Center. (\$3.00 permit fee)
- ☒ 20 Assemblies of 25 or more individuals require an M.D.C. permit. Organized groups of fewer than 25 individuals should notify the M.D.C. at the Quabbin Visitor Center.
- ☐ Prohibited. See Watershed Protection Regulations (350 CMR 11.00) and the MDC Public Access Plan, Quabbin Reservoir Watershed System.

Areas closed to the public:
Prescott Peninsula (Gates 17-21).
Reservoir Islands (including Mt. Zion).
Administrative Areas (Gates 1-3 and south of Gate 3A).

Visit the Quabbin Visitor Center
At Winsor Dam - 9-4:30 Daily
413-323-7221.
Report violations/emergencies to the
Massachusetts State Police @
413-323-7561 OR
*masp on cellular phone.

WATERSHED RANGERS

413-323-0191

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Figure 3: Public Access Summary, Quabbin Reservoir Watershed System (continued)

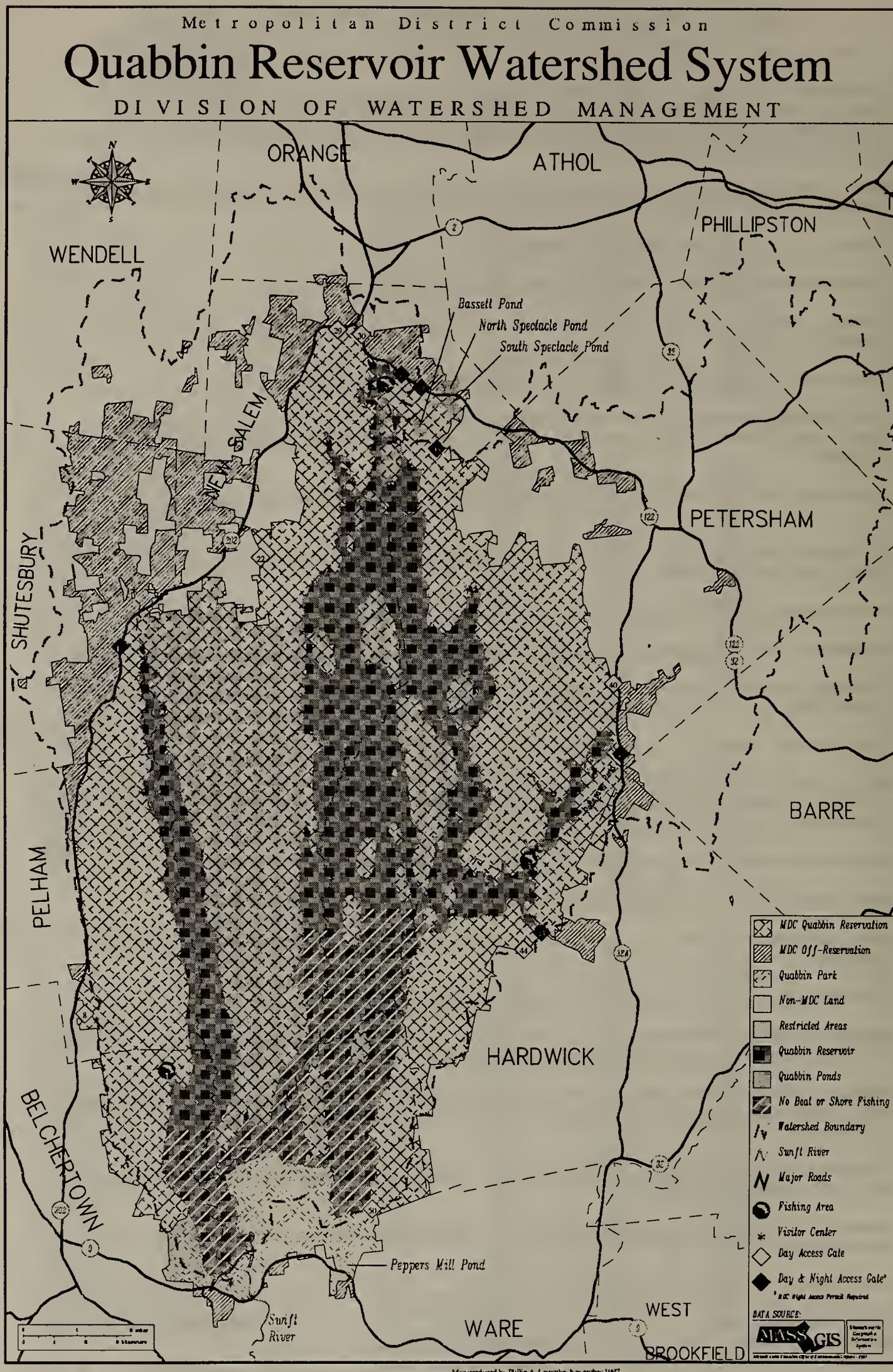


Figure 4: The Quabbin Reservoir Watershed System is comprised of five management areas.

C. General Public Access Policy

In accordance with the "General Rules and Regulations for the Protection of Watershed and the Watershed System" (350 CMR 11.09), the MDC manages public access and recreation by prohibitions, or restrictions depending on time and/or location. General public access on MDC owned lands in the Quabbin Reservoir Watershed System (see Figure 4) is allowed during the time between one hour before sunrise through one hour after sunset through MDC gates or MDC designated areas only. Night access, one hour after sunset to one hour before sunrise, is allowed only at gates 16, 31, 33, 35, 41, and 43 with MDC Night Access permits only. However, night access will be restricted in the immediate vicinity of the boat launch areas at gates 31 and 43 which will be closed at one hour past sunset. All night access permits will be valid for the period of mid-April through mid-October, which minimizes night access during the winter months in order to protect public safety. Night access permits must be renewed annually. Fees of \$3.00 per permit per year will be charged and permits will be obtained by mail or at the Quabbin Visitor Center in Belchertown, Massachusetts (see Appendix H). **Permit holders are required to call the State Police in Belchertown, Massachusetts at (413) 323-7561** before each use of the permit, noting the time and place of access and location of the vehicle (if applicable).

D. Visitor Information

Visitor information is available at the Quabbin Visitor Center, seven days a week, 8:30am-4:30pm. The Quabbin Visitor Center is located in the MDC Administration Building in Belchertown, Massachusetts. Universal Access is currently available within the Quabbin Park and will be available in 1997 in designated areas of Quabbin Reservation. The DWM has and continues to reduce barriers to physically challenged persons wishing access to the Quabbin Reservoir Watershed System. For example, the DWM is constructing a universally accessible fishing site, designed by the Conway School of Landscape Design, at Boat Launch Area #1.

E. Restricted Areas

Restricted areas on the reservoir and within the Quabbin Reservoir Watershed System include the following (see Figure 4):

- Chicopee Valley Aqueduct Intake (CVAI) Protection Area;
- The reservoir beyond the eastern and western fishing limits;
- Prescott Peninsula (gates 17-21);
- Administrative Area (gates 1-3 and south of gate 3A) and areas near Winsor Dam;
- Reservoir islands; and
- Mt. Zion Island.

The two baffle dams leading to Mt. Zion island will be open for public use between June 15 - November 15 each year. At other times public access to the baffle dams will be restricted using a newly installed fence and gate.

IV. Public Access Fact Sheets

The following section includes a set of thirty fact sheets describing specific public access and recreational activities which are allowed with restrictions or prohibited in the Quabbin Reservoir Watershed System. This collection of fact sheets is ordered and arranged to correspond with the Public Access Summary (Figure 3).

All of the public access fact sheets have a standard format. The first section states MDC's Policy for a specific public access or recreation activity or a group of related activities. In some cases, the Division's General Rules and Regulations (350 CMR 11.09) are specific enough to cover the activity. However, in some cases, the Rules and Regulations state an activity may be allowed in "designated areas," by permit, or at the discretion of the Commission or its designee. In these cases, MDC has made the necessary designations through its policy. In the cases where access or and activity is allowed, the specific policy is followed by MDC's General Public Access Policy. A brief Discussion regarding the rationale used in the development of the policy is provided on each fact sheet. The discussion is followed by MDC Action Items (i.e., MDC steps needed to fully implement the "MDC Public Access Plan - Quabbin Reservoir Watershed System"). Finally, each Public Access Fact Sheet contains an Access Summary table. The Division has excerpted its 1988 Plan's Rules and Regulations for comparative purposes in Appendix D.



A. Vehicles



Off-Road Motorized Vehicles (ORMVs)

Policy:

Off-road motorized vehicles (ORMVs), except snowmobiles, are prohibited within all MDC lands including Quabbin Park, Quabbin Reservation, Off-Reservation, and the Quabbin Reservoir. Please see the Snowmobile Fact Sheet.

Discussion:

Off-road motorized vehicles cause excessive erosion and can introduce fuels and other hazardous materials onto reservoir watershed lands, which can end up in the public water supply. ORMV access is prohibited by the 1994 Massachusetts Watershed Protection Regulation (350 CMR 11.09 2(a)(12)) which states: "No Person shall drive a motorized vehicle within the Watershed System except upon roads authorized for such use by the Commission or its designee. Recreational vehicles are prohibited on all Watershed System property except the use of snowmobiles in areas designated by the Commission or its designee" MDC's policy remains the same as the 1988 policy.

MDC Action Items:

- Increase weekend surveillance and education by Division staff.
- Maintain MDC signs notifying the public of prohibited activities. Include police or Ranger phone numbers on signs.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Off-Road Vehicles	Prohibited	Prohibited	Prohibited	Prohibited



Snowmobiles

Policy:

Snowmobile use is prohibited in most of the Quabbin Reservoir Watershed System including Quabbin Reservoir, Quabbin Park, Quabbin Reservation, and all restricted areas. However, snowmobile use is allowed within Off-Reservation lands according to MDC's general public access policy.

General Public Access Policy:

General public access on MDC owned lands in the Quabbin Reservoir Watershed System (see Figure 4) is allowed during the time between one hour before sunrise through one hour after sunset through MDC gates or MDC designated areas only. Please contact the Quabbin Visitor Center at (413) 323-7221 for more information.

Discussion:

Snowmobile use is prohibited in designated areas to restrict public access in close proximity to the Quabbin Reservoir and MDC's other restricted areas because of the potential introduction of fuel and other hazardous materials and the potential impact to wilderness character. Snowmobile use is allowed in designated areas far-removed from the reservoir because the proper operation of snowmobiles during winter conditions is considered less of a threat in this location. Snowmobile use in designated areas is allowed by the 1994 Massachusetts Watershed Protection Regulation, 350 CMR 11.09 2(a)(12), which states: "No Person shall drive a motorized vehicle within the Watershed System except upon roads authorized for such use by the Commission or its designee. Recreational vehicles are prohibited on all Watershed System property except the use of snowmobiles in areas designated by the Commission or its designee . . . " This policy has been updated to reflect the general public access time restrictions of the 1994 Regulations.

MDC Action Items:

- Document use and intensity of authorized snowmobile access and use.
- Pursue prosecution of regulatory violations.
- Increase education through abutter notification and contacts with user groups (e.g., snowmobile clubs).

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Snowmobiles	Prohibited	Prohibited	Allowed ¹	Prohibited

¹ See the General Public Access policy above.



Other Vehicles

Policy:

Other vehicular access, not previously mentioned, requires an MDC permit (e.g. vehicular access permit) except in areas open to motor vehicle access (e.g., Quabbin Park and Boat Launch Areas) during their designated times and/or seasons and according to MDC's general public access policy.

General Public Access Policy:

General public access on MDC owned lands in the Quabbin Reservoir Watershed System (see Figure 4) is allowed during the time between one hour before sunrise through one hour after sunset through MDC gates or MDC designated areas only. Please contact the Quabbin Visitor Center at (413) 323-7221 for more information.

Discussion:

While the MDC prohibits off-road motor vehicles access, the MDC recognizes that special vehicular access may be required within the Quabbin Reservoir Watershed System, and has made some permit provisions. MDC allows vehicular access for specific birding trips, specific pilgrimages by former Valley residents, and trips by former residents only with permits and under specific conditions. MDC limits access to protect the Quabbin Reservoir - a public drinking water supply and its watershed. The Quabbin Visitor Center (413) 323-7221 processes all permit request forms.

MDC Action Items:

- Evaluate permit system for access.
- Monitor authorized use.
- Increase enforcement of unauthorized use.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Other Vehicles	Allowed ²	Allowed ²	Allowed ²	Prohibited

² MDC permits are required for vehicle access into gated areas, for pedestrian night access, for group access (more than 25 persons) or for any access in areas closed to the general public (see Public Access Map).



Bicycles

Policy:

Bicycling includes the use of mountain bikes, road bikes, and all other bikes. Bicycling is allowed in the Quabbin Reservation only on designated roads inside gates 8, 29, 31, 35, 40, 43, and 44. Access through gates 8 and 31 is allowed only during the Quabbin Fishing Season from mid-April through mid-October. Biking is prohibited along the shoreline, on the ice, and through any and all surface waters. Bicycling is prohibited in all restricted areas including: Prescott Peninsula, posted areas near Winsor Dam, Reservoir islands and along the baffle dams. Bicycling is allowed only on paved roads in Quabbin Park. Bicycling is allowed on designated, main forest roads (nonpaved) within Off-Reservation lands. See the accompanying maps for designated roads where bicycling is allowed within 1) Quabbin Park and 2) Quabbin Reservation, and 3) MDC's Off-Reservation lands.

General Public Access Policy:

General public access on MDC owned lands in the Quabbin Reservoir Watershed System (see Figure 4) is allowed during the time between one hour before sunrise through one hour after sunset through MDC gates or MDC designated areas only. Please contact the Quabbin Visitor Center at (413) 323-7221 for more information.

Discussion:

Bicycle use is allowed on designated roads because historical use, primarily by local residents, has not caused problems. However, due to the increasing popularity of mountain biking, bicycling is limited and controlled to limit further recreational expansion of this activity in accordance with MDC's Master Policy - Public Access. Bicycle use is prohibited in sensitive areas to prevent erosion problems, especially to restrict access to the reservoir's shorelines during low water conditions. Bicycle use is allowed within MDC designated areas according to the 1994 Massachusetts Watershed Protection Regulation, 350 CMR 11.09(2)(a)(14) which states that: "The use of bicycles, skis and other means of non-motorized transportation within the Watershed System shall be permitted only in areas designated by the Commission or its designee." This policy has been updated to clarify designated areas within the Quabbin Reservoir Watershed System in which bicycle access is allowed.

MDC Action Items:

- Increase weekend surveillance and education by Division staff.

Continued...



Bicycles (continued)

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Bicycling	Allowed ³	Allowed ⁴	Allowed ⁵	Prohibited

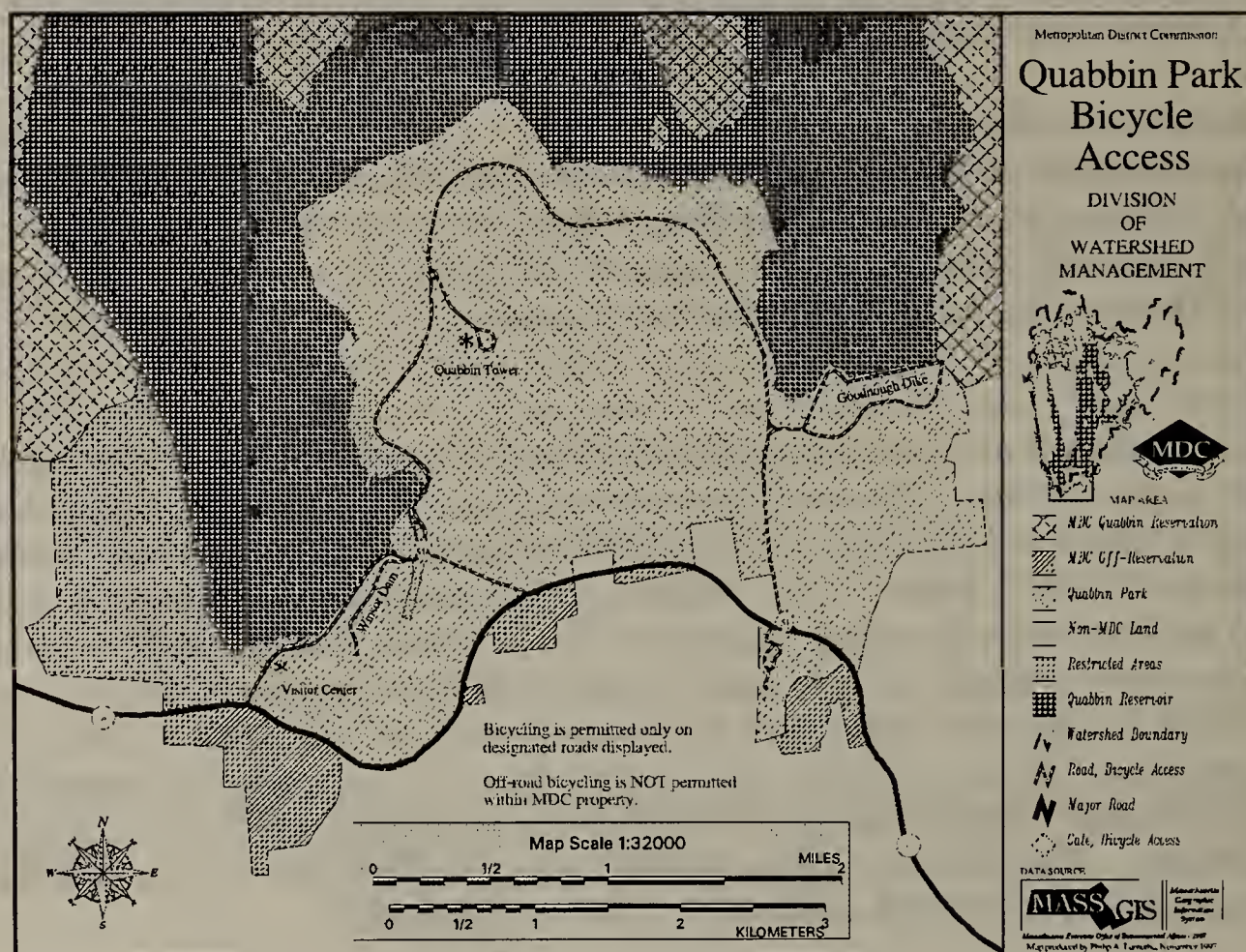


Figure 5: Bicycling is allowed only on paved road in Quabbin Park.

³ Bicycling is allowed only on paved roads in Quabbin Park.

⁴ Bicycling is allowed on designated roads only through the following gates: 29, 35, 40, 43, 44. Bicycling is allowed on designated roads only through 8 & 31 during Quabbin Fishing Season, mid-April through mid-October.

⁵ Bicycling is allowed on designated main forest roads within all of MDC's Off-Reservation lands.

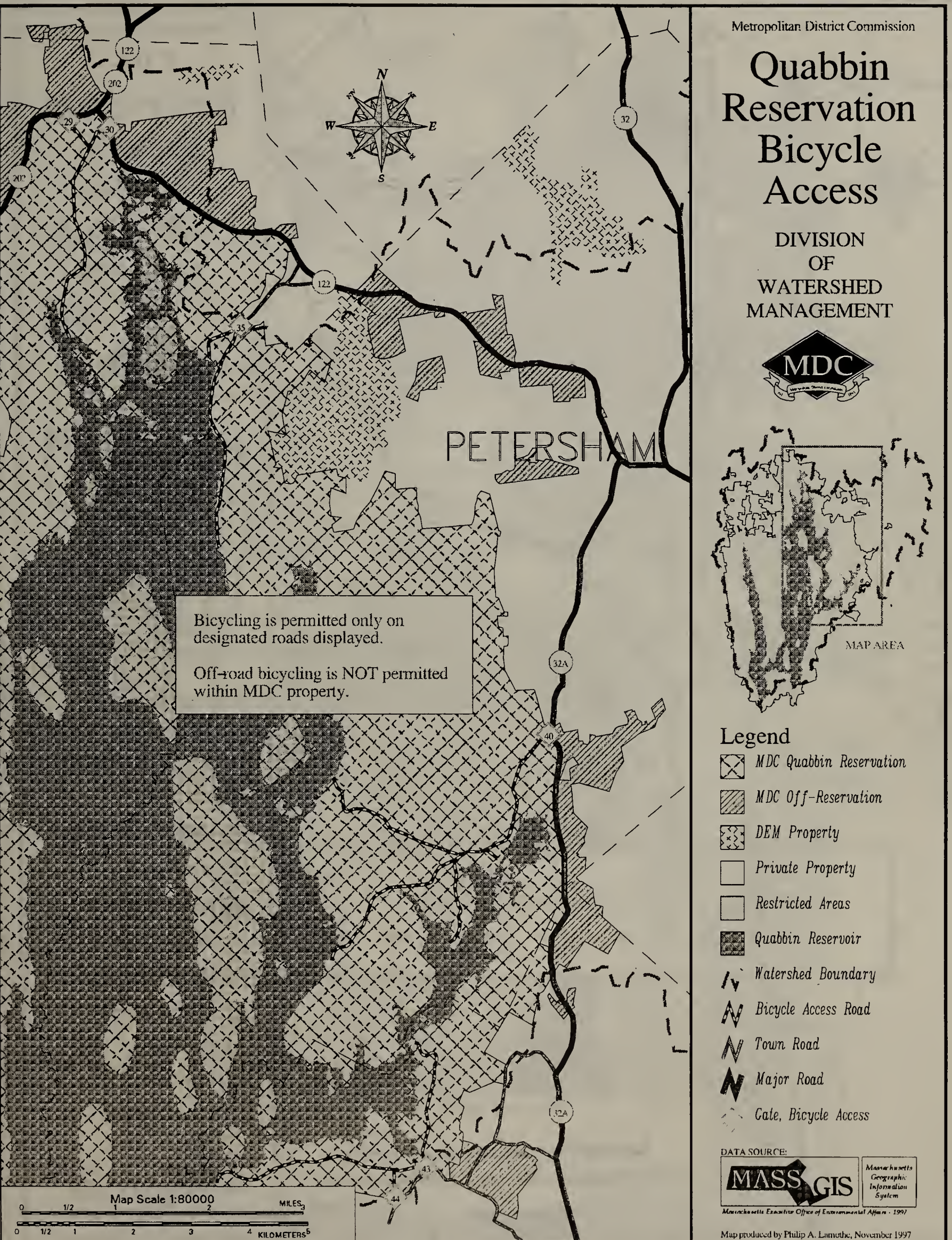


Figure 6: Bicycle access is only allowed through designated gates and on designated roads in Quabbin Reservation.

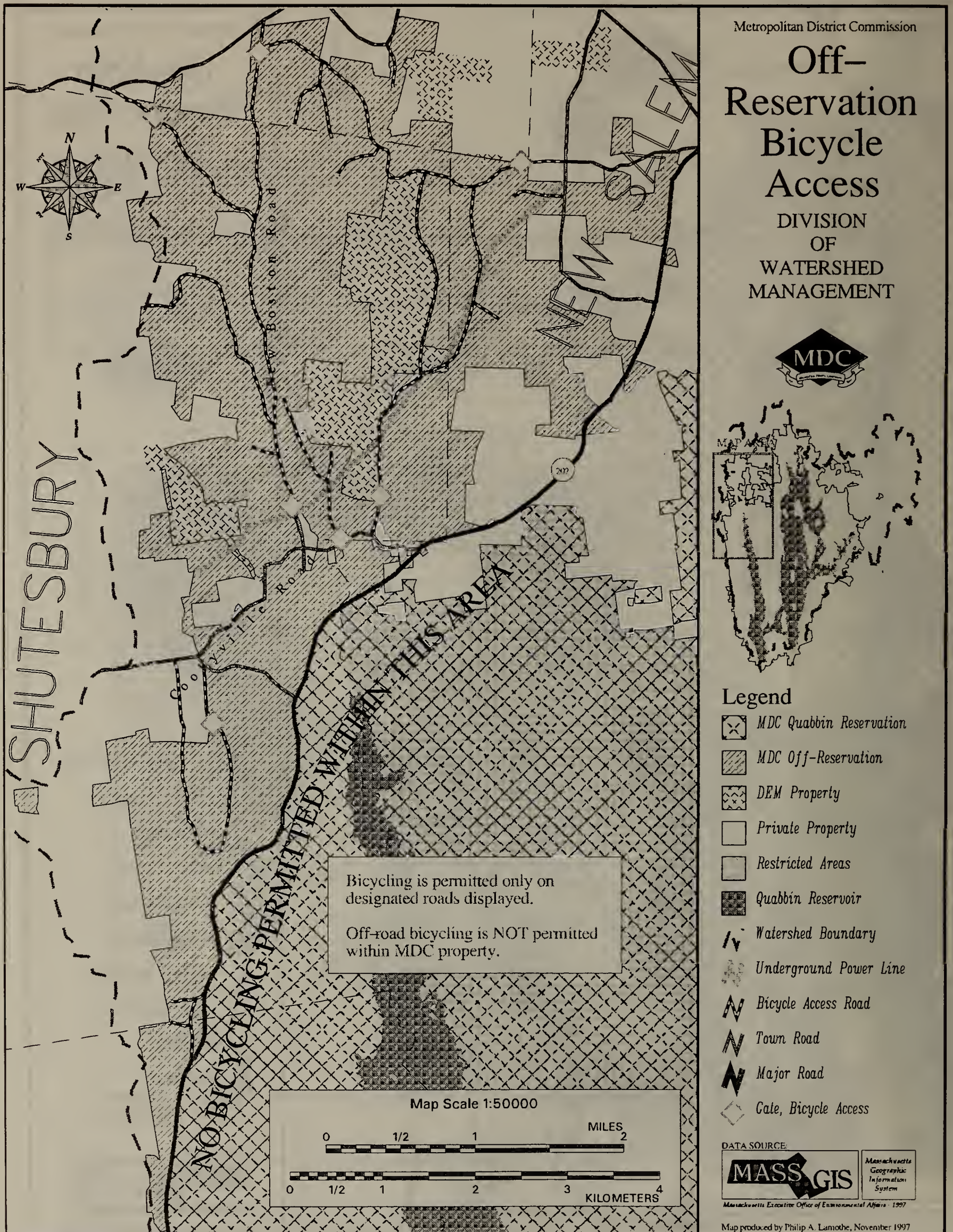


Figure 7: A bicycle access map showing that bicycling is allowed on designated roads within MDC's Off-Reservation lands.



Sleds & Snow Toys

Policy:

Sledding or any other kind of sliding activity is prohibited on the Quabbin Reservoir, Dams or other structures, and in all restricted areas including: the Quabbin Reservoir, Prescott Peninsula, Reservoir islands and along the baffle dams or in any other restricted area.

General Public Access Policy:

General public access on MDC owned lands in the Quabbin Reservoir Watershed System (see Figure 4) is allowed during the time between one hour before sunrise through one hour after sunset through MDC gates or MDC designated areas only. Please contact the Quabbin Visitor Center at (413) 323-7221 for more information.

Discussion:

The use of sleds or other snowtoys is allowed with restrictions because sliding on the dam, dike, or other restricted areas may impact the integrity of the dam and can be very unsafe because of the dam's steep slope. However, limited sledding down hills in other areas is not contradictory to the Division's Master Policy and is thus allowed.

MDC Action Item:

- No item at this time.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Sleds-Snow Toys	Allowed ⁶	Allowed ⁶	Allowed ⁶	Prohibited

⁶ Sledding or any other kind of sliding activity is prohibited on the reservoir, the dams, and other structures.



B. Foot Access



Hiking, Walking, and Snowshoeing

Policy:

Hiking, walking, and snowshoeing access is allowed with restrictions within the Quabbin Park, Quabbin Reservation, and Off-Reservation lands. Hiking, walking, and snowshoeing access and activities are prohibited in the restricted areas including: Prescott Peninsula, posted areas near Winsor Dam (lands south of gate 3A, gates 1-3A), the Chicopee Valley Aqueduct Protection Zone - areas to the north of the dam on both the east and west reservoir shorelines, Reservoir islands and along the baffle dams between November 15 and June 15. The baffle dams are restricted to protect roosting eagles. Hiking, walking or snowshoeing on the frozen reservoir is prohibited because of risks to public safety and health caused by the dramatic water level fluctuations and resulting ice cracking within the reservoir. Hiking, walking, or snowshoeing in Quabbin Park, Quabbin Reservation and Off-Reservation is allowed according to MDC's general public access policy.

General Public Access Policy:

General public access on MDC owned lands in the Quabbin Reservoir Watershed System (see Figure 4) is allowed during the time between one hour before sunrise through one hour after sunset through MDC gates or MDC designated areas only. Please contact the Quabbin Visitor Center at (413) 323-7221 for more information.

Discussion:

Day hiking, walking, and snowshoeing access are allowed in designated areas and/or during designated times because the MDC must limit access to sensitive areas to protect the drinking water quality from contamination by improperly disposed of sanitary wastes. The Watershed Protection Regulation, 350 CMR 11.09(2)(a)(9), states: "the use of bicycles, skis, and other means of non-motorized transportation within the Watershed System shall be permitted only in areas designated by the Commission or its designee." The Massachusetts Watershed Protection Regulation, 350 CMR 11.09 (2)(a)(1) states: "Entrance on or exit from land of the Watershed System shall be made through gates or other designated areas." Prescott Peninsula, according to Chapter 372 Acts of 1972, is set aside as a natural site for ecological and wildlife study/research to be monitored and regulated by the Commission.

MDC Action Item:

- Monitor and patrol management areas.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Hiking, Walking, or S	Allowed ⁷	Allowed ⁷	Allowed ⁷	Prohibited

⁷ Hiking, walking, or snowshoeing activities are allowed within the Quabbin Reservoir Watershed System except in the following restricted areas: Prescott Peninsula, posted Administration areas near Winsor Dam, CVA Protection Zone, Reservoir islands, and along baffle dams between November 15 and June 15.



Cross-country Skiing

Policy:

Cross-country skiing is allowed only within Off-Reservation lands (see the accompanying map) with specific restrictions. Cross-country skiing is prohibited on or around the reservoir to minimize risks to public health and safety due to fluctuating water levels and ice cracking. Cross-country skiing is prohibited in the Quabbin Park and in the Quabbin Reservation. Cross-country skiing on Off-Reservation lands is allowed according to MDC's general public access policy.

General Public Access Policy:

General public access on MDC owned lands in the Quabbin Reservoir Watershed System (see Figure 4) is allowed during the time between one hour before sunrise through one hour after sunset through MDC gates or MDC designated areas only. Please contact the Quabbin Visitor Center at (413) 323-7221 for more information.

Discussion:

Cross-country skiing is allowed in areas of great distance from the reservoir edge so that the threat of illegal access onto the frozen reservoir with fluctuating water levels is minimized. Cross-country skiing is prohibited in areas with close access to the reservoir to protect public health and safety. Furthermore, MDC's Master Policy for Public Access prohibits new recreational activities which may conflict with public water supply priorities and values. The MDC prohibits cross-country skiing in the Quabbin Park, Quabbin Reservation, and all restricted areas including: Prescott Peninsula, posted areas near Winsor Dam including the CVA Protection Zone, Reservoir islands, and along the baffle dams. The Massachusetts Watershed Protection Regulation, 350 CMR 11.09(2)(a)(14) states: "The use of bicycles, skis and other means of non-motorized transportation within the Watershed System shall be permitted only in areas designated by the Commission or its designee." This policy has been clarified regarding the designated areas where cross-country skiing is both allowed and prohibited.

MDC Action Items:

- Increase enforcement of illegal cross-country skiing in restricted areas, specifically on the Quabbin Reservoir.
- Refine plowing policy at MDC gates.
- Increase public education efforts.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Cross-country skiing	Prohibited	Prohibited	Allowed ⁸	Prohibited

⁸ Cross-country skiing is allowed in designated areas of MDC Off-Reservation lands only.

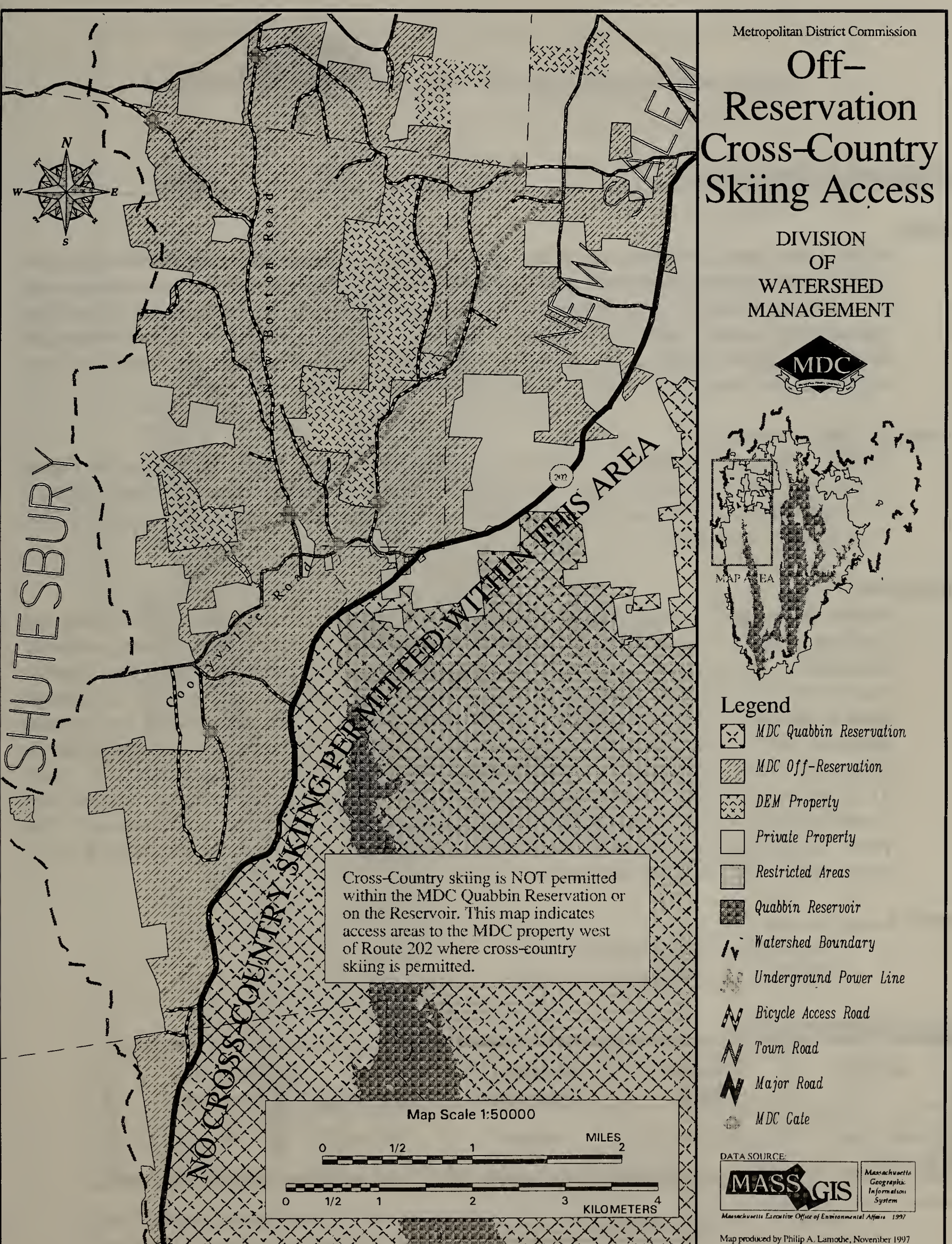


Figure 8: Cross-country skiing access is only allowed in designated areas of MDC Off-Reservation lands.



Hunting & Trapping

Policy:

Hunting and trapping activities are prohibited within most of the Quabbin Reservoir Watershed System: Quabbin Park, Quabbin Reservation, and Quabbin Reservoir except for non-recreational activities such as land management. Contact the Quabbin Visitor Center at (413) 323-7221 for more information regarding the Quabbin Controlled Deer Hunt. Hunting and trapping activities are allowed within Off-Reservation lands (Fig. 9) according to MDC's general public access policy. In addition, all other applicable state, local, and federal rules and regulations apply to these activities.

General Public Access Policy:

General public access on MDC owned lands in the Quabbin Reservoir Watershed System (see Figure 4) is allowed during the time between one hour before sunrise through one hour after sunset through MDC gates or MDC designated areas only. Please contact the Quabbin Visitor Center at (413) 323-7221 for more information.

Discussion:

Hunting and trapping on public lands in Massachusetts is a complex issue. Recreational hunting and trapping activities within areas of the Quabbin Reservoir Watershed System have been prohibited historically. For example, hunting is specifically regulated and prohibited within the Quabbin Reservation by Chapter 737 of the Acts of 1972 with the 1991 amendments. However, recreational hunting and trapping are allowed within the Off-Reservation lands. For specific forest management purposes, MDC allows hunting in designated areas, during designated times, and under strictly controlled conditions only. The Massachusetts Watershed Protection Regulation, 350 CMR 11.09(2)(a)(22), states: "No Person may hunt, shoot or trap animals on or within any Watershed System property except at times and in areas designated by the Commission or its designee." This policy has been clarified regarding designated areas and updated to reflect the new general public access policies regarding designated times.

MDC Action Items:

- Coordinate with the MA State Police.
- Maintain and increase public education.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Hunting and Trapping	Prohibited	Allowed ⁹	Allowed ¹⁰	Prohibited

⁹ Hunting and trapping activities are prohibited except by special permit during the Quabbin Controlled Deer Hunt.

¹⁰ See the General Public Access Policy above.

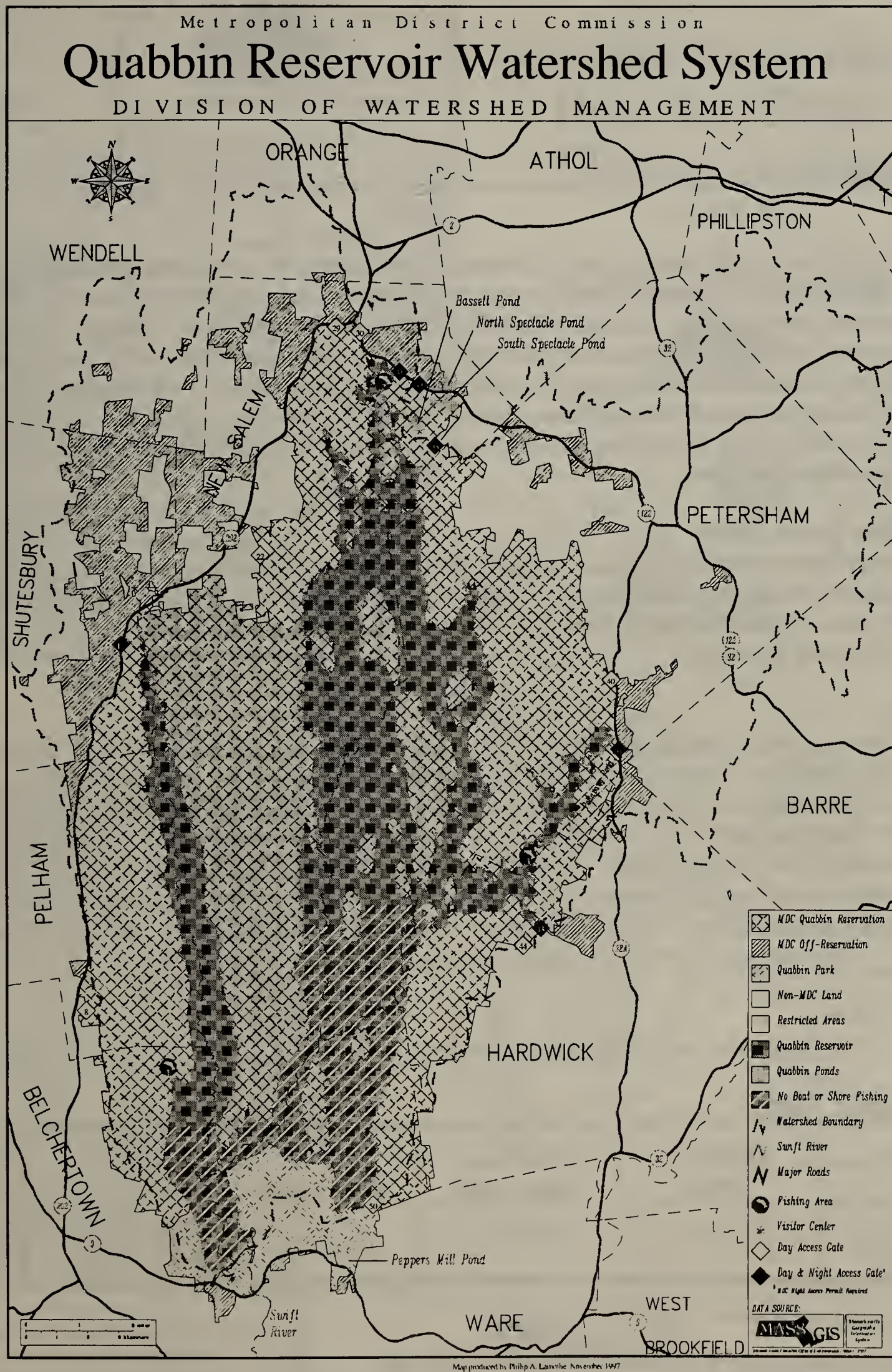


Figure 9: Hunting and trapping are allowed on MDC Off-Reservation lands with certain restrictions.



Ice Fishing

Policy:

Ice fishing access and activities are prohibited on the Quabbin Reservoir, but allowed with specific restrictions and in designated areas within the Quabbin Park, Quabbin Reservation, and Off-Reservation surface waters. In Quabbin Park, ice fishing is allowed on Pepper's Mill Pond. In Quabbin Reservation, ice fishing is allowed on South Spectacle Pond and Basset Pond only. Night access for ice fishing is allowed on South Spectacle and Pepper's Mill Ponds only. Ice fishing on Pepper's Mill Pond, South Spectacle Pond and Basset Pond is allowed according to MDC's general public access policy which follow. In addition, all other applicable state, local, and federal rules and regulations apply to these activities.

General Public Access Policy:

General public access on MDC owned lands in the Quabbin Reservoir Watershed System (see Figure 4) is allowed during the time between one hour before sunrise through one hour after sunset through MDC gates or MDC designated areas only. Please contact the Quabbin Visitor Center at (413) 323-7221 for more information.

Discussion:

Ice fishing activities are allowed on off-watershed ponds because their waters do not flow into the Quabbin Reservoir. Furthermore, ice fishing is an historical use and is considered relatively safe on these designated ponds since they have shallow depths and stable water levels. Access onto the ice of the Quabbin Reservoir is prohibited for both sanitary and safety reasons. The Massachusetts Watershed Protection Regulation, 350 CMR 11.09(b)(5), states: "Fishing from the shorelines of the Quabbin Reservoir and its Tributaries within the Watershed System or from boats shall be allowed only during a season designated by the Commission or its designee." This policy has been both updated and clarified to specifically address ice fishing and designated areas.

MDC Action Item:

- Increase winter surveillance and monitoring.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Ice Fishing and Ice Skating	Allowed ¹¹	Allowed ¹²	Allowed ¹³	Prohibited

¹¹ Ice fishing and ice skating are allowed on Pepper's Mill Pond only.

¹² Ice fishing and ice skating are allowed on South Spectacle Pond and Bassett Pond only.

¹³ See the General Public Access Policy above.



Ice Skating

Policy:

Ice skating access and activities are prohibited on the Quabbin Reservoir, but are allowed with specific restrictions and in designated areas within Quabbin Park, Quabbin Reservation, and Off-Reservation surface waters. In Quabbin Park, ice skating is allowed on Pepper's Mill Pond. In Quabbin Reservation, ice skating is allowed on South Spectacle Pond and Bassett Pond only. Ice skating on Peppers' Mill Pond, South Spectacle Pond and Bassett Pond are allowed according to MDC's general public access policy.

General Public Access Policy:

General public access on MDC owned lands in the Quabbin Reservoir Watershed System (see Figure 4) is allowed during the time between one hour before sunrise through one hour after sunset through MDC gates or MDC designated areas only. Please contact the Quabbin Visitor Center at (413) 323-7221 for more information.

Discussion:

Historically, ice skating has occurred within the Quabbin Reservoir Watershed System in non-reservoir areas including Pepper's Mill Pond, Bassett Pond, and South Spectacle Pond. Ice-skating on off-watershed ponds only is allowed because the waters from these ponds do not flow into the Reservoir. This use is limited in specific designated areas as in accordance with the MDC's Master Policy. The Watershed Protection Regulation, 350 CMR 11.09(2)(a)(9), states: "the use of bicycles, skis, and other means of non-motorized transportation within the Watershed System shall be permitted only in areas designated by the Commission or its designee." This policy is a clarification of MDC's policy.

MDC Action Item:

- Increase winter surveillance and monitoring.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Ice Fishing and Ice Skating	Allowed ¹⁴	Allowed ¹⁵	Allowed ¹⁶	Prohibited

¹⁴ Ice fishing and ice skating are allowed on Pepper's Mill Pond only.

¹⁵ Ice fishing and ice skating are allowed on South Spectacle Pond and Bassett Pond only.

¹⁶ See the General Public Access Policy above.



Shore Fishing - Quabbin Reservoir

Policy:

Shore fishing along the Quabbin Reservoir is allowed in the following areas of the Quabbin Reservation with the specific restrictions discussed below. Shore fishing is permitted between Gates 22-44 & 8-16 by foot during the regular Quabbin fishing season only. See the accompanying map for the designated shorelines, fishing limits, and restricted areas. Also see the current Quabbin Fishing Guide (Appendix A). Shore fishing along the Quabbin Reservoir is prohibited in Quabbin Park and all restricted areas including Prescott Peninsula, posted areas near Winsor Dam including the Chicopee Valley Aqueduct Protection Zone, reservoir islands and along the baffle dams. In addition, all other applicable local, state, and federal rules and regulations apply to these activities.

General Public Access Policy:

General public access on MDC owned lands in the Quabbin Reservoir Watershed System (see Figure 4) is allowed during the time between one hour before sunrise through one hour after sunset through MDC gates or MDC designated areas only. Please contact the Quabbin Visitor Center at (413) 323-7221 for more information.

Discussion:

Seasonal shoreline fishing is specifically allowed in designated areas of the Quabbin Reservation, along the Quabbin Reservoir, as mandated by early legislation. By limiting the access areas, the MDC limits impacts to the water quality. This policy is a clarification of MDC's former policy.

MDC Action Items:

- Monitor reservoir shorelines for water quality impacts including illegally disposed waste.
- Evaluate and improve "Sani-Can" program.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Shore Fishing	Prohibited	Allowed ¹⁷	Not Applicable	Allowed ¹⁷

¹⁷ Shore fishing along designated shorelines of the Quabbin Reservoir and along streams is permitted between Gates 22-44 & 8-16 by foot during the regular Quabbin fishing season only.

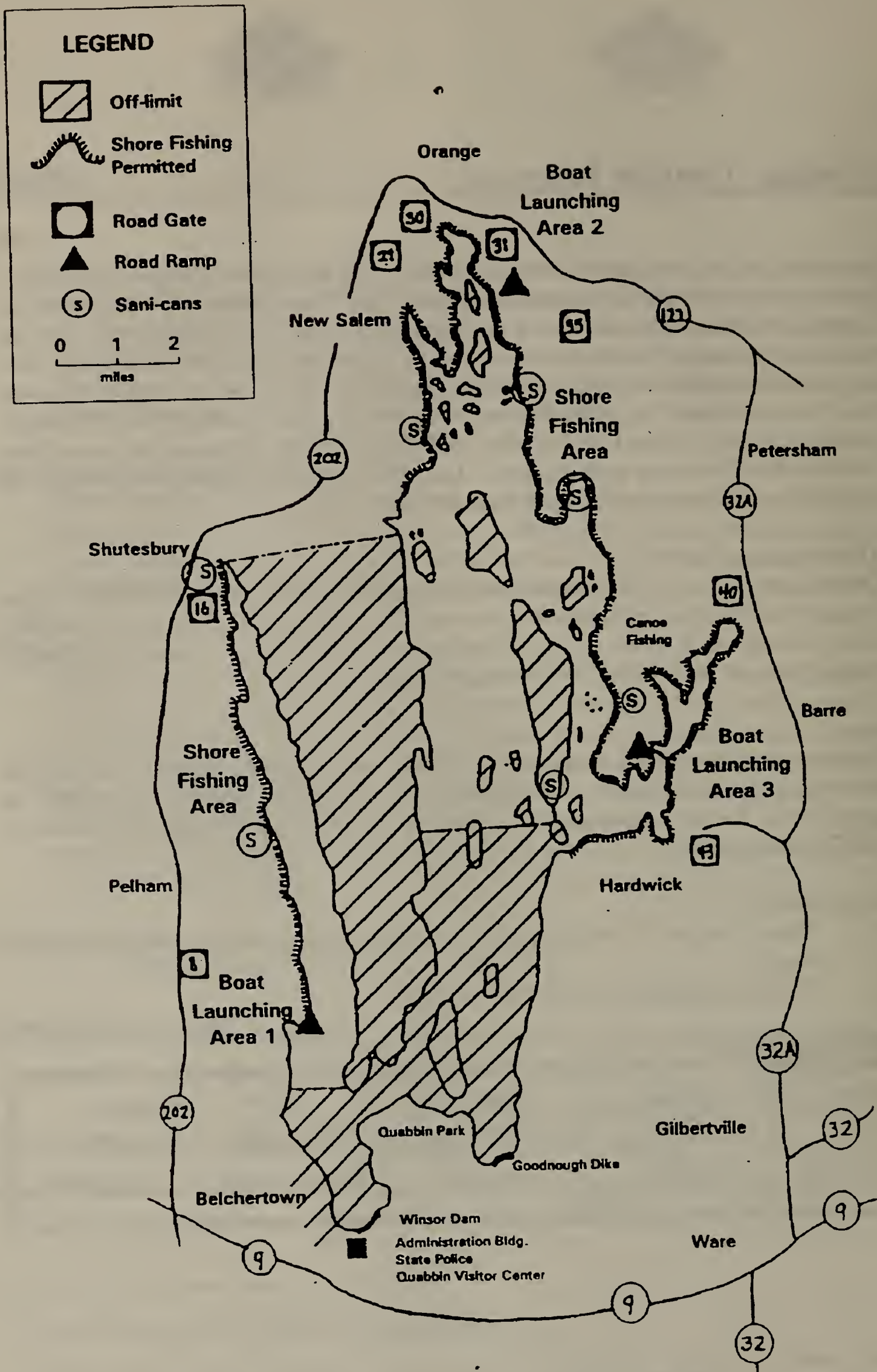


Figure 11: Shore fishing along the Quabbin Reservoir is allowed with restrictions in designated areas.



Shore Fishing - Ponds

Policy:

Shore fishing along designated pond shores within the Quabbin Reservoir Watershed System is allowed with specific restrictions in Quabbin Park, Quabbin Reservation, and Off-Reservation. In Quabbin Park, shore fishing along pond shores is allowed on Pepper's Mill Pond only. Within Quabbin Reservation, shore fishing along pond shores is allowed on South Spectacle Pond and Bassett Pond only. Shore fishing on the Quabbin Reservoir is prohibited in Quabbin Park and all restricted areas including Prescott Peninsula, posted areas near Winsor Dam including the Chicopee Valley Aqueduct, Reservoir islands. In addition, all other applicable local, state, and federal rules and regulations apply to these activities.

General Public Access Policy:

General public access on MDC owned lands in the Quabbin Reservoir Watershed System (see Figure 4) is allowed during the time between one hour before sunrise through one hour after sunset through MDC gates or MDC designated areas only. Please contact the Quabbin Visitor Center at (413) 323-7221 for more information.

Discussion:

Shore fishing along designated pond shores is allowed because the designated ponds are off-watershed ponds and thus, their waters do not flow into the Quabbin Reservoir. The limitations governing shore fishing on designated ponds have been unclear between the MDC and the general public. With public input, the Division has clarified its policy related to shore fishing on designated ponds.

MDC Action Items:

- Increase education within the Division and between state agencies.
- Monitor for negative water quality impacts from authorized use.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Shore Fishing Ponds	Allowed ¹⁸	Allowed ¹⁹	Allowed ²⁰	Not Applicable

¹⁸ Shore fishing is allowed on Pepper's Mill Pond only.

¹⁹ Shoreline fishing is allowed on South Spectacle Pond and Bassett Pond only.

²⁰ See the General Public Access Policy above.

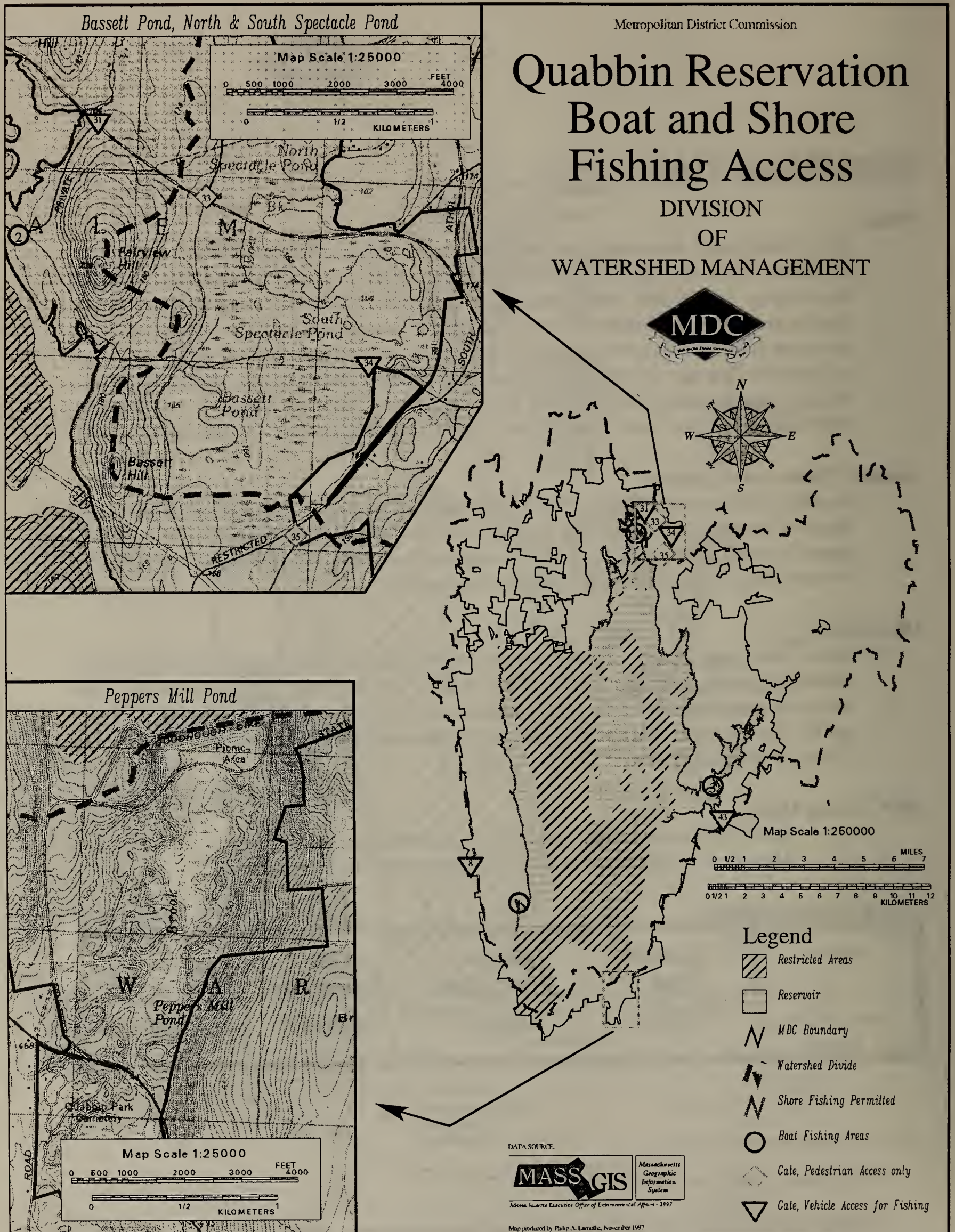


Figure 12: Shore fishing is allowed along South Spectacle, Bassett, and Peppers Mill Pond with restrictions.



Stream Fishing

Policy:

Stream fishing within the Quabbin Reservoir Watershed System is allowed with specific restrictions along tributaries within Quabbin Park, Quabbin Reservation, and Off-Reservation. However, stream fishing is prohibited in all restricted areas including Prescott Peninsula, posted areas near Winsor Dam including the Chicopee Valley Aqueduct, and Reservoir islands and along baffle dams. In Quabbin Park, catch-and-release fly fishing with waders is allowed all year in the Swift River below the Winsor Dam. In Quabbin Reservation, stream fishing access is permitted between Gates 22-44 & 8-16 by foot during the regular Quabbin fishing season only. Stream fishing with waders is allowed in Quabbin Reservoir Watershed System tributaries except in restricted areas. Please see the current Quabbin Fishing Guide (Appendix A) for more information. Stream fishing in designated areas is allowed according to the MDC's general public access policy which follows. For example, stream fishing along tributaries within MDC Off-Reservation lands is allowed throughout the year. All applicable local, state, and federal rules and regulations apply to these activities.

General Public Access Policy:

General public access on MDC owned lands in the Quabbin Reservoir Watershed System (see Figure 4) is allowed during the time between one hour before sunrise through one hour after sunset through MDC gates or MDC designated areas only. Please contact the Quabbin Visitor Center at (413) 323-7221 for more information.

Discussion:

Stream fishing along designated pond shores is allowed because the ponds are within off-watershed lands and thus, their waters do not flow into the Quabbin Reservoir. The Massachusetts Watershed Protection Regulation 350 CMR 11.09(b)(5) states: "Fishing from the shorelines of the Quabbin Reservoir and its Tributaries within the Watershed System or from boats shall be allowed only during a season designated by the Commission or its designee." This policy is a clarification of MDC's past policy.

MDC Action Items:

- Increase monitoring and surveillance along tributaries to Quabbin Reservoir.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Stream Fishing	Allowed ²¹	Allowed ²²	Allowed ²³	Not Applicable

²¹ Catch-and-release fly fishing with waders is allowed all year in the Swift River below the Winsor Dam.

²² Shore fishing along the designated shoreline of the Reservoir and along streams is permitted between Gates 22-44 & 8-16 by foot during the regular Quabbin fishing season only.

²³ Shore fishing along these tributaries is allowed throughout the year. See the General Public Access policy above.

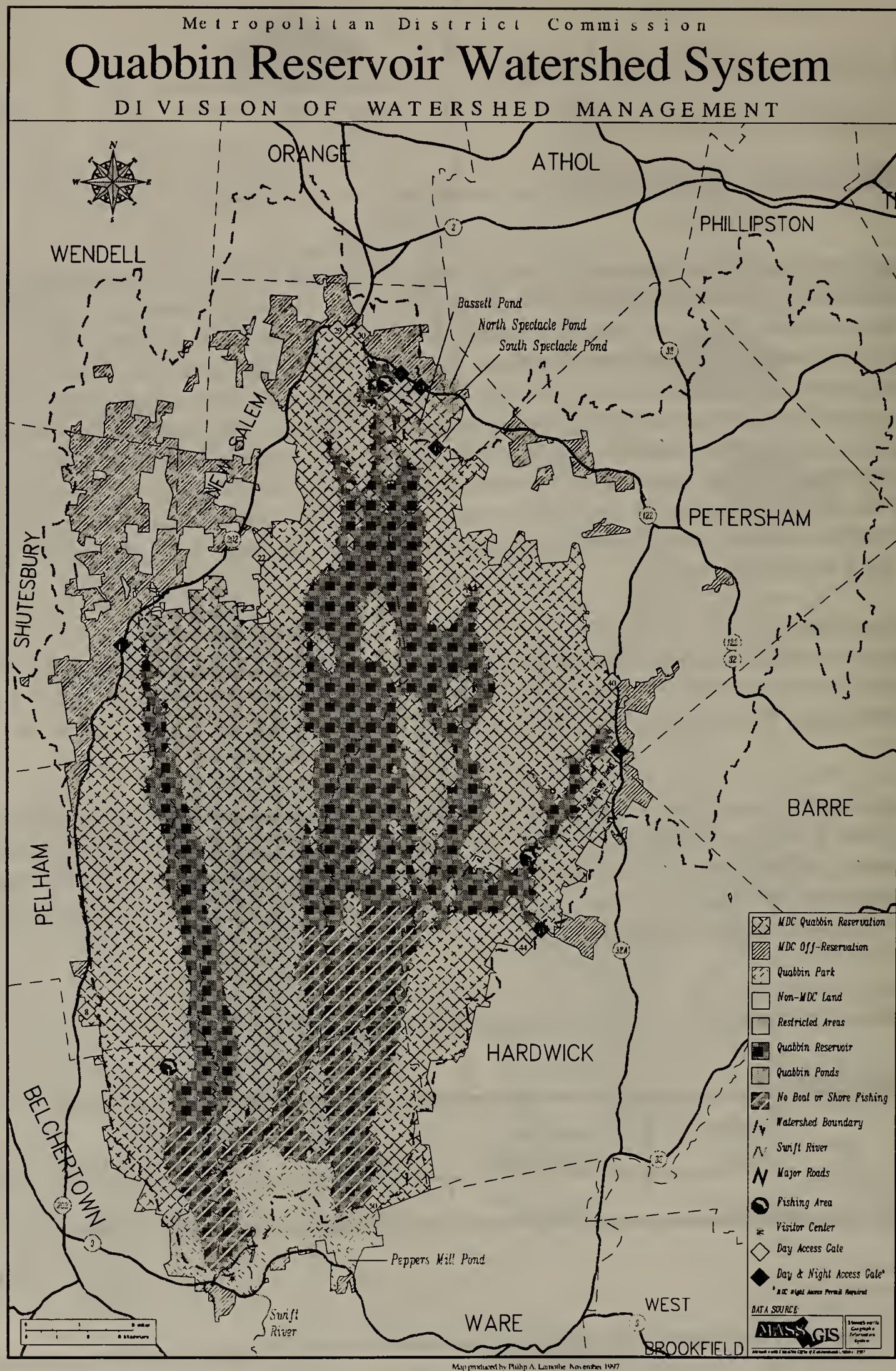


Figure 13: Stream fishing in designated areas is allowed with certain restrictions.



Fires & Cooking (e.g., gas grills)

Policy:

Fires and cooking, including the use of gas grills, are prohibited throughout the Quabbin Reservoir Watershed System in Quabbin Park, Quabbin Reservation, and Off-Reservation lands.

Discussion:

Fires and cooking are prohibited because the majority of forest fires in the Quabbin Reservoir Watershed System have been started by camping fires. The prohibition of cooking is required by the Watershed Protection Regulation, 350 CMR 11.09 (2)(a)(6) which states: "Cooking and all fires are prohibited within the Watershed System." This regulation was updated in 1994 to address both cooking and the use of fires as was recommended in the 1988 Public Access Policy and Plan.

MDC Action Item:

- Focus surveillance and enforcement in known areas of regulatory violation.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off- Reservation	Quabbin Reservoir
Fires/Cooking	Prohibited	Prohibited	Prohibited	Prohibited



C. Water Access



Boat Fishing - Quabbin Reservoir

Policy:

Access for boat fishing on the Quabbin Reservoir is allowed in three designated areas within the Quabbin Reservation only: Boat Launch Areas 1, 2, and 3. Please see the Quabbin Reservoir Watershed System Map for the location of these designated areas. Boat fishing on the Quabbin Reservoir requires a valid Massachusetts fishing license. Contact the Quabbin Visitor Center at (413) 323-7221 for more information regarding boating requirements and for the current Quabbin Fishing Guide. In addition, all other applicable local, state, and federal rules and regulations apply to these activities.

General Public Access Policy:

General public access on MDC owned lands in the Quabbin Reservoir Watershed System (see Figure 4) is allowed during the time between one hour before sunrise through one hour after sunset through MDC gates or MDC designated areas only. Please contact the Quabbin Visitor Center at (413) 323-7221 for more information.

Discussion:

The boat fishing program on the Quabbin Reservoir was introduced in the 1950's at the request of the Governor responding to public pressure for fishing. This program was established despite MDC's Water Division's objections and concerns regarding the increased potential for water quality degradation. Currently, MDC Division of Watershed Management limits the boat fishing program by requiring boat and motor specifications, establishing prohibited areas, and designating season limitations. These limitations are imposed to minimize the program's impacts to water quality. Currently, the boat fishing program consists of three boat launch areas with 160 rental boats and 50 rental motors. Since the program began, usage increased and peaked at an attendance of 65,725 in 1975. The inclusion of forms of boating such as sailboats, kayaks, and windsurfer represent potential public health, safety and logistical problems. Furthermore, their inclusion would also increase intensity of use of reservoir - the most sensitive part of the water supply system. The Massachusetts Watershed Protection Regulation, 350 CMR 11.09 (2)(a)(3) states: "Power boats are prohibited within the Waters of the Watershed System except in areas designated by the Commission or its designee." Accordingly, fishing area limits and boat launch areas were first designated by the Commissioner in 1951.

Continued...



Boat Fishing - Quabbin Reservoir (continued)

The Quabbin fishing season runs from mid-April through mid-October. Boat size and occupancy limits are specifically restricted. All boats, canoes, and jon boats must be at least twelve feet (12') long. Canoes and jon boats cannot be launched on the main body of the reservoir, but may be launched above the Regulating Dams at Area 3 (gate 43) in Hardwick on Pottapaug Pond, and at Area 2 (gate 31) in New Salem. No boats may carry more than four persons, and boats under fourteen feet six inches (14' 6") are limited to three persons. No canoe or jon boat may carry more than three persons, and canoes under sixteen feet (16') and jon boats under fourteen feet six inches (14' 6") are limited to two persons. This policy is a clarification of MDC's past policy.

MDC Action Item:

- Increase monitoring for compliance.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off- Reservation	Quabbin Reservoir
Boat fishing Reservoir	Prohibited	Not Applicable	Not Applicable	Allowed ²⁴

²⁴ Boat access for fishing only requires a valid Massachusetts fishing license. Fishing access using canoes or jon boats is allowed only through Gate 31 above the regulating dam and through Gate 43 on Pottapaug pond.

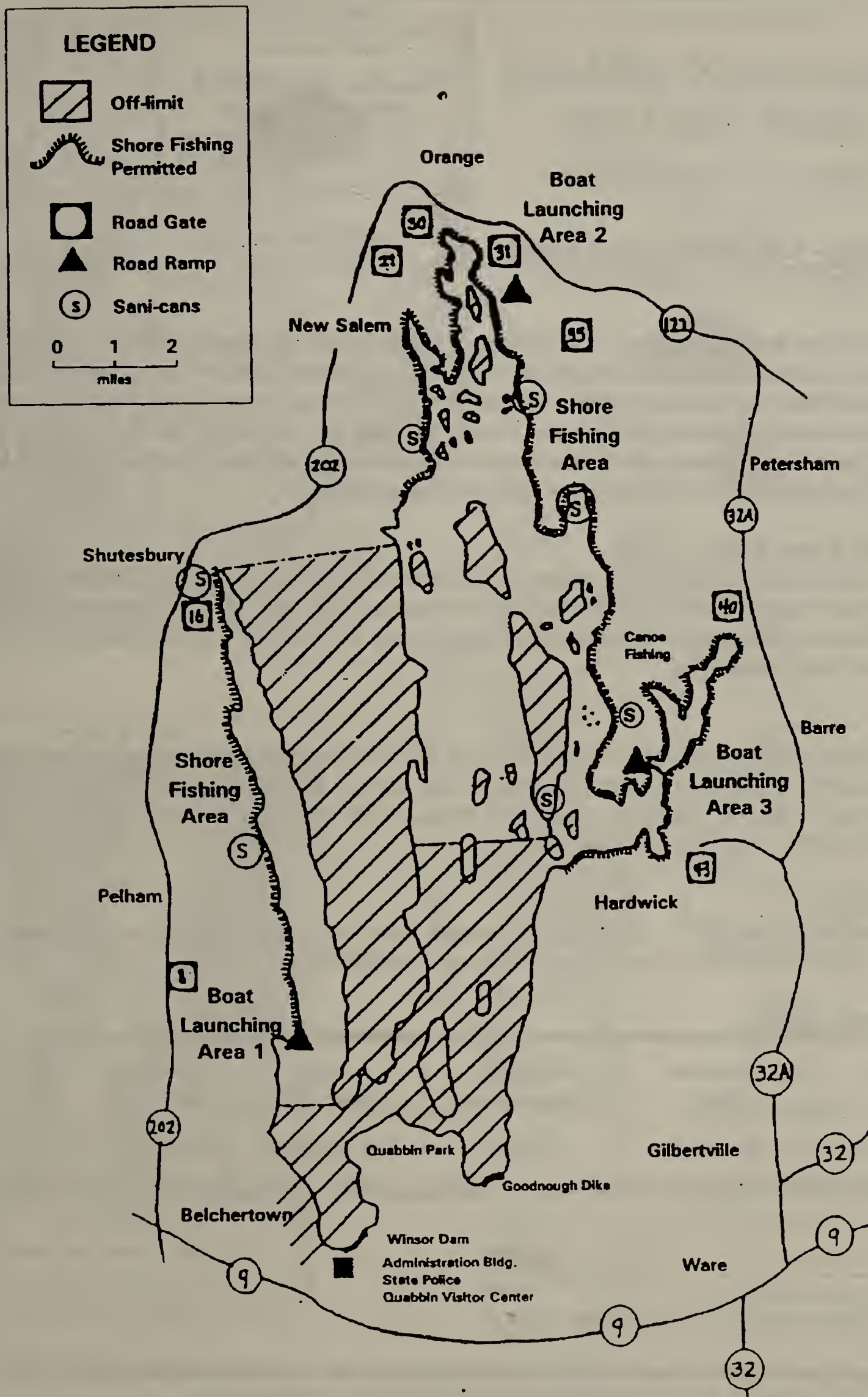


Figure 14: Boat fishing access in the Quabbin Reservoir is allowed with restrictions in three designated areas.



Boat Fishing - Off-Watershed Ponds

Policy:

Water access for boat fishing on off-watershed ponds within the Quabbin Reservoir Watershed System is allowed with specific restrictions in Quabbin Park and Quabbin Reservation. In Quabbin Park, boat fishing with non-motorized, carry-in boats is allowed on Pepper's Mill Pond. In Quabbin Reservation, carry-in boat access and use is allowed on South Spectacle Pond and Bassett Pond. Boat access for fishing requires a valid Massachusetts fishing license. In addition, all other applicable local, state, and federal rules and regulations apply to these activities.

General Public Access Policy:

General public access on MDC owned lands in the Quabbin Reservoir Watershed System (see Figure 4) is allowed during the time between one hour before sunrise through one hour after sunset through MDC gates or MDC designated areas only. Please contact the Quabbin Visitor Center at (413) 323-7221 for more information.

Discussion:

Historically, many local residents have fished from boats on two Quabbin Reservation ponds, South Spectacle Pond and Bassett Pond, both of which are off the Quabbin Reservoir's watershed. Conscientious use of these areas, along with Pepper's Mill Pond, for boat fishing is a compatible source of public enjoyment and thus is allowed.

MDC Action Item:

- Conduct education regarding the updated rules within the Division and between other agencies including the State and MA Environmental Police.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Boat fishing Ponds	Allowed ²⁵	Allowed ²⁶	Not Applicable	Not Applicable

²⁵ Boat fishing is allowed on Pepper's Mill pond only.

²⁶ Boat access for fishing only requires a valid Massachusetts fishing license. Boat access using canoes and jon boats is allowed only through Gate 31 above the regulating dam and through Gate 43 on Pottapaug Pond.

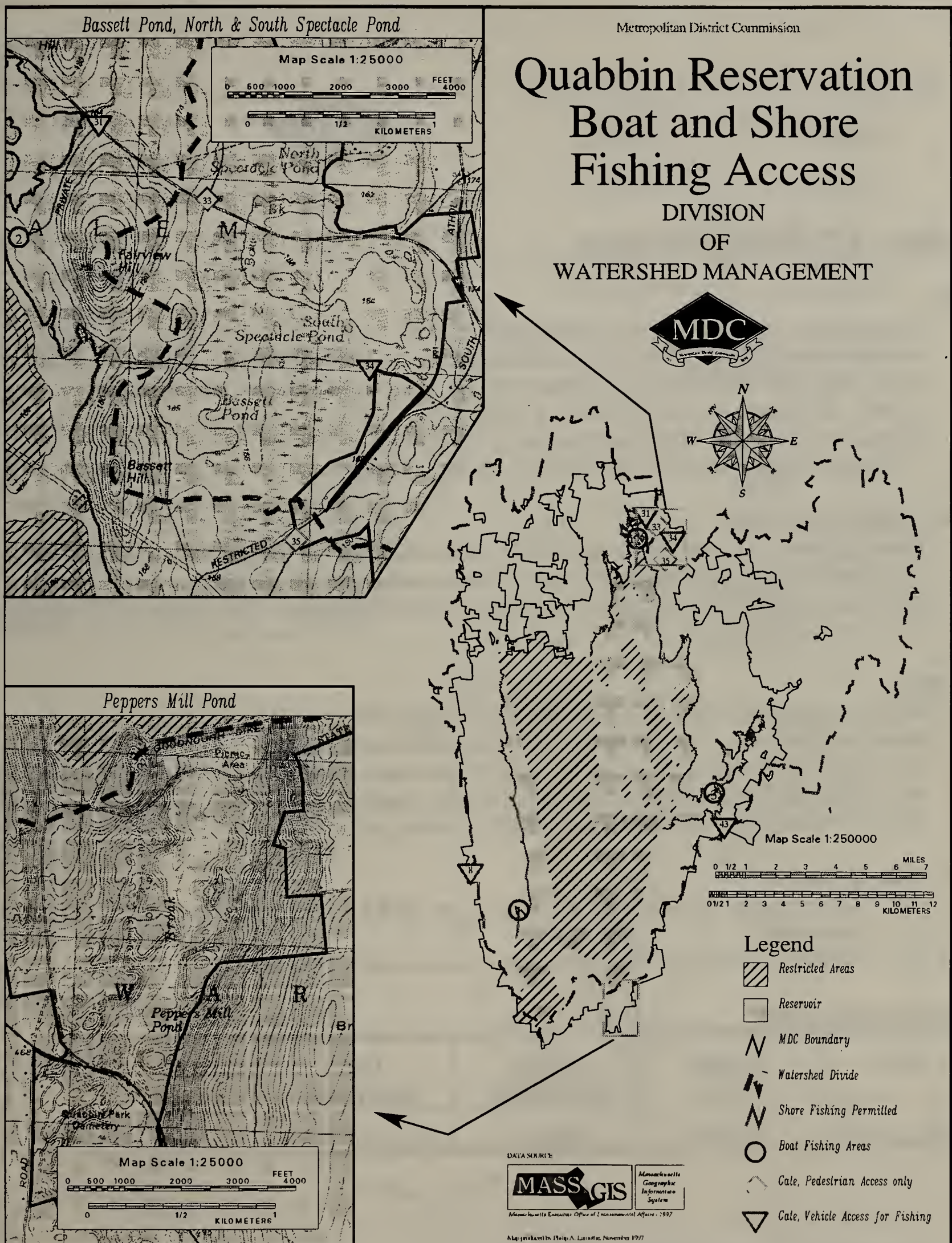


Figure 15: Boat fishing is allowed with restrictions on off-watershed ponds: South Spectacle, Bassett, and Peppers Mill ponds.



Boating - Off-Watershed Ponds

Policy:

Water access for boating on off-watershed ponds in the Quabbin Reservoir Watershed System is allowed with the following restrictions in Quabbin Park, Quabbin Reservation, and Off-Reservation lands. In Quabbin Park, boating on Pepper's Mill pond is allowed with non-motorized, carry-in boat access. In Quabbin Reservation, boating is allowed on South Spectacle Pond and Bassett Pond. Boating on ponds within Off-Reservation lands is not applicable. Boating on these designated ponds is allowed according to MDC's general access policy which follows.

General Public Access Policy:

General public access on MDC owned lands in the Quabbin Reservoir Watershed System (see Figure 4) is allowed during the time between one hour before sunrise through one hour after sunset through MDC gates or MDC designated areas only. Please contact the Quabbin Visitor Center at (413) 323-7221 for more information.

Discussion:

MDC's limitations for boating on ponds within the Quabbin Reservoir Watershed System have been unclear and confusing. To eliminate confusion, the Division has specifically defined its limitations for this activity by identifying those off-watershed ponds where boating is allowed. Boating on off-watershed ponds is allowed because the waters in these ponds do not flow directly into the Quabbin Reservoir. This policy is a clarification of MDC's former policy.

MDC Action Items:

- Communicate updated rules for boating on QRWS with Division staff and with other authorities.
- Maintain surveillance and monitoring for unauthorized activities.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Boating - ponds	Allowed ²⁷	Allowed ²⁸	Not Applicable	Not Applicable

²⁷ Carry-in boat access is allowed on Pepper's Mill Pond only.

²⁸ Carry-in boat access is allowed on South Spectacle Pond and Bassett Pond only.

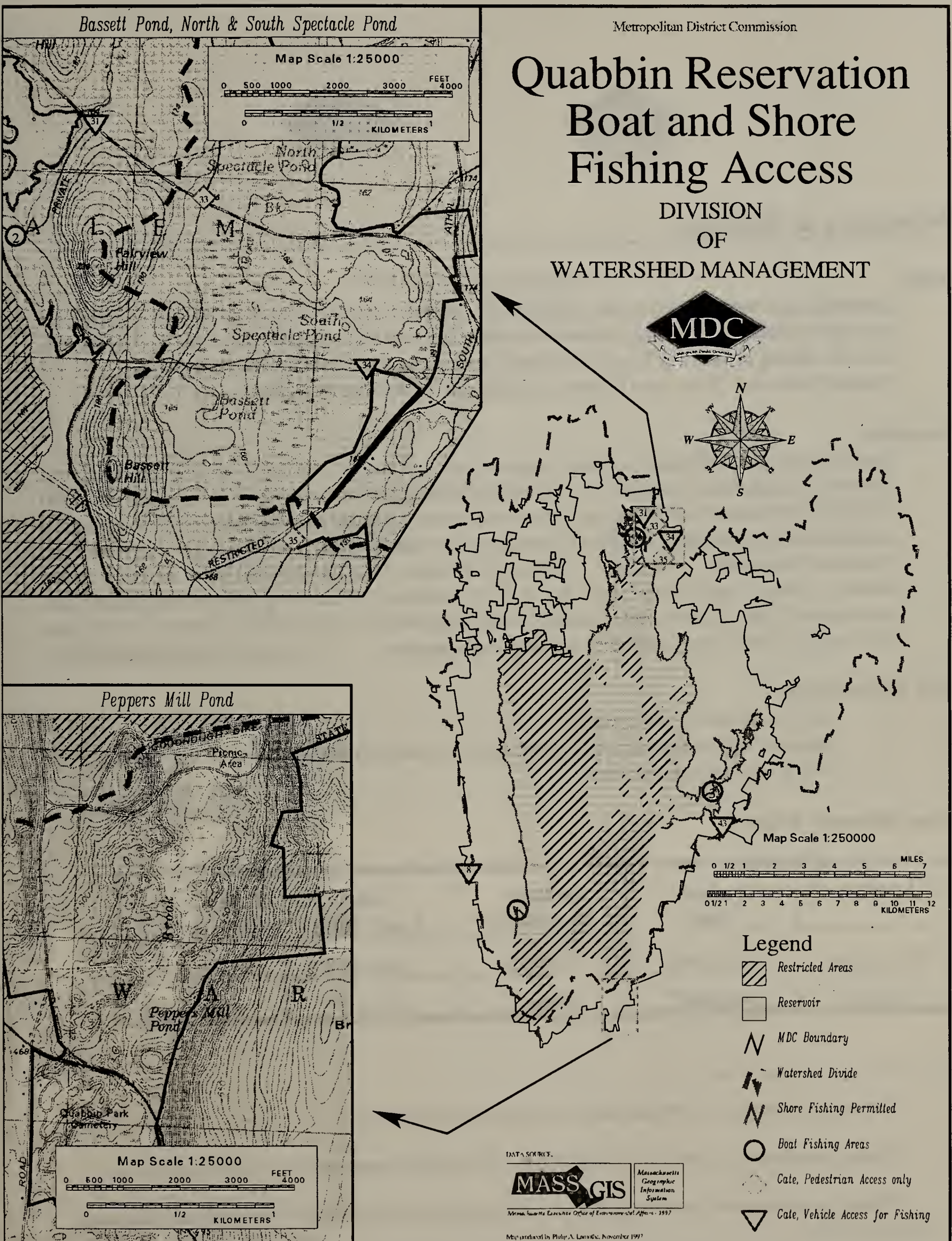


Figure 16: Boating is allowed with restrictions on off-watershed ponds: South Spectacle, Bassett, and Pepper Mills ponds.



Swimming & Wading

Policy:

Swimming and wading in any surface water of the Quabbin Reservoir Watershed System is prohibited with two exceptions: 1) wading with boots for boat launching in designated areas and 2) wading with boots for fishing in the Swift River below the Winsor Dam and in non-restricted tributaries. See the Quabbin Reservoir Watershed System Map (Figure 4) for these designated areas.

Discussion:

Swimming in any public surface water supply, Class A water, is prohibited by both the Watershed Protection Regulations (350 CMR 11.00) and the Massachusetts Drinking Water Regulations (310 CMR 22.20) because swimming in reservoir tributaries increases the likelihood of microbiological contamination by pathogens including *Cryptosporidium* and *Giardia*. The Massachusetts Watershed Protection Regulation, 350 CMR 11.00(2)(a)(7), states: "No Person shall wade or swim in any reservoir except wading while using boots for the purpose of launching boats at designated boat launch areas." The Massachusetts Drinking Water Regulation 310 CMR 22.20(7) states: "No person shall wade or bathe in any source of drinking water supply . . . " This policy remains unchanged.

MDC Action Items:

- Increase weekend enforcement.
- Respond to seasonal and daily extreme high temperatures with increased Ranger surveillance of potential swimming areas.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Swimming	Prohibited	Prohibited	Prohibited	Prohibited
Wading	Allowed ²⁹	Allowed ³⁰	Allowed ³⁰	Allowed ³¹

²⁹ Wading is allowed below the Winsor Dam Power Station on the Swift River.

³⁰ Wading with hipboots is allowed in the Quabbin Reservoir Watershed System tributaries except in restricted areas.

³¹ Wading is allowed in the Quabbin Reservoir only while using boots for the purpose of launching boats at designated boat launch areas.



D. Other Activities



Alcohol - Possession of

Policy:

The possession or drinking of alcoholic beverages is prohibited throughout the Quabbin Reservoir Watershed System in Quabbin Park, Quabbin Reservation, Off-Reservation, and on the Quabbin Reservoir.

Discussion:

Division staff continues to report evidence of regulatory violations related to the possession of alcohol within the Quabbin Reservoir Watershed System. Excessive consumption of alcohol leads to a disregard of MDC's rules, regulations, and policies. The Massachusetts Watershed Protection Regulation, 350 CMR 11.09(2)(a) states: "...Possession of and drinking of alcoholic beverages is prohibited within said system." This policy remains unchanged.

Action Item:

- Coordinate with the State Police.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off- Reservation	Quabbin Reservoir
Alcohol	Prohibited	Prohibited	Prohibited	Prohibited



Organized Sports

Policy:

Organized sports are prohibited in the Quabbin Reservoir Watershed except by written permit from the Commission.

Discussion:

Organized sports introduce increased recreation in a public water supply watershed. Thus, organized sports are limited in accordance with MDC's Master Policy for Public Access. The development and maintenance of playgrounds or sports fields is inappropriate with the MDC's Master Policy limiting or minimizing new recreational activities or increased intensity of existing access or activities in the public water supply watershed. This policy has been clarified.

MDC Action Items:

- Consider on a case by case basis.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off- Reservation	Quabbin Reservoir
Organized Sports	Prohibited	Prohibited	Prohibited	Prohibited



Night Access

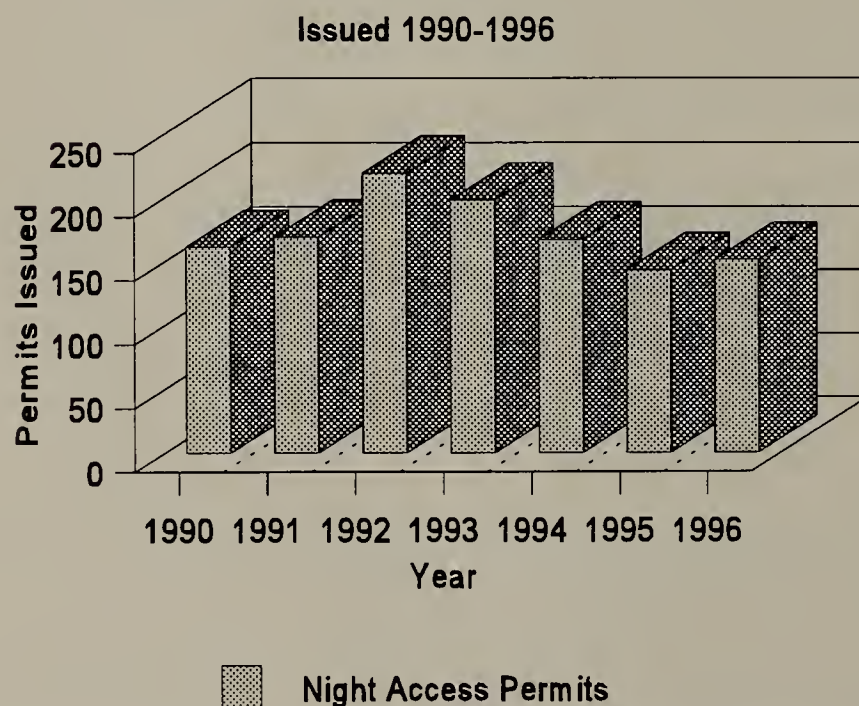
Policy:

Night access within the Quabbin Reservoir Watershed System is allowed with specific restrictions within the Quabbin Reservation and Quabbin Park (Figure 16). Night access is allowed with an MDC permit for pedestrian night access through Gates 16, 31, 33, 35, 41 & 43 only during the Quabbin fishing season (mid-April through mid-October). To obtain a permit, contact the Quabbin Visitor Center (Appendix H). Currently, there is a \$3.00 permit fee. Night access within Quabbin Park without an MDC permit is only allowed for fishing on Pepper's Mill Pond and on the Swift River below Winsor Dam, if access to these areas is from Route 9. Night access below the Dam and on Pepper's Mill pond will be allowed for a five-year trial period. MDC will monitor all lands for trash, fires, vandalism, and alcohol use. Night access onto Off-Reservation lands and the Quabbin Reservoir is prohibited.

Discussion:

Night access is allowed in designated areas, during designated times, and upon notification of the State Police, to limit and restrict use. The night access policy implemented in 1989 was incorporated into the Watershed Protection Regulations in 1992 when night access within the Quabbin Reservoir Watershed System became specifically prohibited except in specially designated areas with an MDC permit. Between 1990 and 1996, MDC issued a total of 1,215 night access permits (Chart 1). The Massachusetts Watershed Protection Regulations, 350 CMR 11.09(2)(a)(2) states: "No Person is allowed within any land of the Watershed System, except from one hour before sunrise to one hour after sunset, unless authorized by a written permit from the Commission or its designee." This policy has been updated and clarified.

Night Access Permits



Continued...



Night Access (continued)

MDC Action Items:

- Evaluate the MDC's night access permit system.
- Monitoring of night access will be conducted by education and enforcement personnel.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Night Access	Allowed ³²	Allowed ³³	Prohibited	Prohibited

³² Night access within the Quabbin Park is prohibited with two exceptions. It is allowed without a permit on Pepper's Mill Pond. For a five year trial period, night access is allowed on the Swift River below the Winsor Dam if access to these two areas is from Route 9 only.

³³ Night access is allowed by MDC permit (\$3.00) for pedestrians through Gates 16, 31, 33, 35, 41 & 43 during the Quabbin fishing season only.

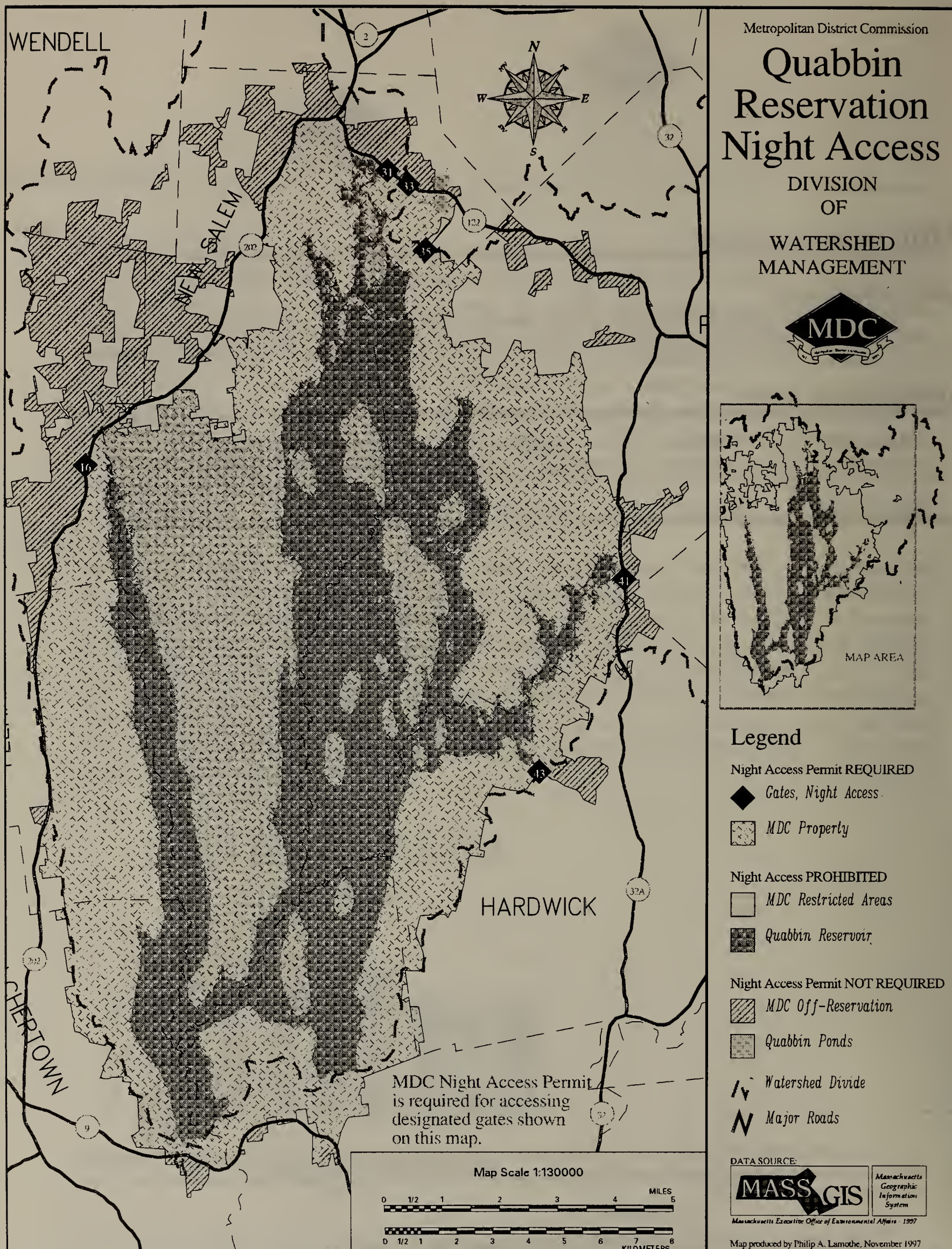


Figure 17: Night access is allowed with an MDC permit only through designated gates in the Quabbin Reservation.



Assemblies (e.g., Weddings, etc.)

Policy:

Assemblies of more than 25 individuals are allowed access with the following specific restrictions in the Quabbin Park, Quabbin Reservation, and Off-Reservation lands within the Quabbin Reservoir Watershed System. Any assembly of 25 individuals or more requires an MDC permit (Appendix H). Groups of 25 individuals or fewer should notify the MDC. Contact the Quabbin Visitor Center for more information, to obtain a permit, or to notify the MDC (413) 323-7221. Assemblies are allowed according to MDC's general public access policy which follows.

General Public Access Policy:

General public access on MDC owned lands in the Quabbin Reservoir Watershed System (see Figure 4) is allowed during the time between one hour before sunrise through one hour after sunset through MDC gates or MDC designated areas only. Please contact the Quabbin Visitor Center at (413) 323-7221 for more information.

Discussion:

An assembly of more than 25 individuals is allowed access with an MDC permit which limits and controls public access according to MDC's Master Policy for Public Access. The Massachusetts Watershed Protection Regulation, 350 CMR 11.09(2)(a)(18), states: "Public assemblies of more than 25 persons shall not be allowed within the Watershed System without a written permit from the Commission or its designee. This policy has been clarified.

Action Items:

- Coordinate with the State Police.
- Monitoring of a permit program will be conducted by education and enforcement personnel.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Assemblies	Allowed ³⁴	Allowed ³⁴	Allowed ³⁴	Not Applicable

³⁴ Assemblies of 25 or more individuals require an MDC permit. Organized groups of fewer than 25 individuals should notify the MDC at the Quabbin Visitor Center.



Domestic Animals (e.g., Dogs, etc.)

Policy:

Domestic animals (e.g., Dogs) are prohibited in the Quabbin Reservoir Watershed System.

Discussion:

The presence of dogs and other domestic animals within a public water supply watershed or in its surface waters is incompatible with MDC's sanitary and public health protection goals. Dogs pose a particular high risk of contamination because they go into the water and they have been identified as hosts of *Cryptosporidium* and *Giardia* pathogens which can infect humans, and can be further spread by infecting resident wildlife populations. The *Cryptosporidium* parasite can enter a water supply from animal wastes. This parasite causes prolonged fever and diarrhea, and may kill persons with weak immune systems. Because this parasite is resistant to chemical disinfectants, MDC's effort to prevent its introduction to the system is extremely important to protect the public drinking water supply. The U.S. Environmental Protection Agency (EPA) recently sent the MDC an advisory letter which concluded that warm-blooded animals pose a significant potential threat to water quality from fecal coliform contamination, and both *Cryptosporidium* and *Giardia* pathogens (See Appendix C). In 1995, EPA recommended that MDC provide watershed controls that afford the highest level of protection from the introduction, spread, or increase of these pathogens on the watershed. The Watershed Protection Regulation, 350 CMR 11.09 (2)(a)(13), states: "No Person shall bring any animal within any Watershed System property except for horses and dogs at the Ware River Watershed at areas designated by the Commission or its designee." This policy has been updated to reflect the new regulations.

MDC Action Item:

- Target surveillance efforts.
- Develop appropriate enforcement actions for illegal activities related to domestic animals.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Domestic Animals Dogs, etc.	Prohibited	Prohibited	Prohibited	Prohibited



Horseback Riding

Policy:

Horseback riding is prohibited within all areas of the Quabbin Reservoir System - Quabbin Park, Quabbin Reservation, Off-Reservation, and Quabbin Reservoir. However, horseback riding is currently allowed with specific restrictions in designated areas of the Ware River Watershed.

Discussion:

The presence of horses and other domestic animals within a public water supply watershed or in the surface water are incompatible with sanitary goals and public health protection. Horses can pose a particular high risk of contamination because they go into the water to drink. Horses may be hosts of *Cryptosporidium* and *Giardia* pathogens which can infect humans, and can be further spread by infecting resident wildlife populations. The *Cryptosporidium* parasite can enter a water supply from animal wastes. This parasite causes prolonged fever and diarrhea, and may kill persons with weak immune systems. Because this parasite is resistant to chemical disinfectants, MDC's effort to prevent its introduction to the system is extremely important to protect the public drinking water supply. The U.S. Environmental Protection Agency (EPA) recently sent the MDC an advisory letter which concluded that warm-blooded animals pose a significant potential threat to water quality from fecal coliform contamination, and both *Cryptosporidium* and *Giardia* pathogens (See Appendix 4). In 1995, the EPA recommended that MDC provide watershed controls that afford the highest level of protection from the introduction, spread, or increase of these pathogens on the watershed. The Watershed Protection Regulation, 350 CMR 11.09 (2)(a)(13), states: "No Person shall bring any animal within any Watershed System property except for horses and dogs at the Ware River Watershed at areas designated by the Commission or its designee." This policy has been updated to reflect the new regulations.

MDC Action Items:

- Baseline illegal activities.
- Target surveillance and monitoring efforts in environmentally sensitive areas.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Horseback Riding	Prohibited	Prohibited	Prohibited	Prohibited



Collecting & Metal Detecting

Policy:

Both collecting of historic and prehistoric artifacts, and metal detecting activities are prohibited within the Quabbin Reservoir Watershed System.

Discussion:

Collecting historic and prehistoric artifacts, and metal detecting activities are prohibited in the Quabbin Watershed Reservoir System to protect historic and pre-colonial sites. The Massachusetts Watershed Protection Regulation, 350 CMR 11.09(2)(a)(5) states: "All acts which injure the property of the Commonwealth are prohibited. No Person shall injure, deface, destroy, remove, or carry off any property, real or personal under the care and control of the Commission, including but not limited to, all historic artifacts and natural materials." In addition, 350 CMR 11.09(2)(a) states: "The possession of all types of metal detectors or similar devices is prohibited on all the watershed system property." These regulations were updated in 1992 by adding reference to historic artifacts and natural materials and by adding the prohibition of metal detectors. This policy has been updated to reflect changes in the regulations.

MDC Action Items:

- Continue support of on-going, Quabbin Watershed historical survey.
- Provide education related to cultural resources.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Collecting	Prohibited	Prohibited	Prohibited	Prohibited



Camping

Policy:

Camping in the Quabbin Reservoir Watershed System is prohibited. Camping in the Quabbin Reservation is specifically prohibited by Chapter 737, Acts of 1972. Camping includes but is not limited to tenting, trailers, lean-to's, and motor homes. Overnight parking in the Quabbin Reservoir Watershed System is prohibited. Limited car parking is allowed at designated gates with an MDC Night-Access permit.

Discussion:

Camping is prohibited within the Quabbin Reservoir Watershed System because of a number of public health and safety concerns. Camping would divert water management resources to conduct recreational management activities. Camping, historically prohibited in the system, increases sanitation problems, fire protection issues, and the intensity of use for a new recreational activity. In addition to Chapter 737, Acts of 1972 which prohibits camping in Quabbin Reservation, the current Watershed Protection Regulation 350 CMR 11.09 (2)(a)(2) states: that "No Person is allowed within any land of the Watershed System, except from one hour before sunrise to one hour after sunset, unless authorized by a written permit from the Commission or its designee." This policy has been clarified.

MDC Action Items:

- Continue monitoring, surveillance, and education efforts.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Camping	Prohibited	Prohibited	Prohibited	Prohibited



Fishing Derbies

Policy:

Fishing derbies for raising or collecting funds are prohibited in the Quabbin Reservoir Watershed System.

Discussion:

Fishing derbies are prohibited in accordance with the MDC's Master Policy because they can increase the intensity of recreational use in the system. The Massachusetts Watershed Protection Regulation, 350 CMR 11.09 (2)(a)(16), states: "Parades, games, fairs, carnivals, fishing derbies, bazaars, gifts or solicitations for raising or collecting funds shall not be permitted within the Watershed System without written approval of the Commission or its designee." When the regulations were updated in 1994, fishing derbies were added to the list of prohibitions as was recommended in the 1988 Plan.

MDC Action Items:

Not applicable.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off- Reservation	Quabbin Reservoir
Fishing Derbies	Prohibited	Prohibited	Prohibited	Prohibited



Target Shooting

Policy:

Target shooting is prohibited in the Quabbin Reservoir Watershed System.

Discussion:

Target shooting is prohibited in the Quabbin Reservoir Watershed System. The Massachusetts Watershed Protection Regulation, 350 CMR 11.09(2)(a)(21), states: "... All forms of target shooting are prohibited on or within the Watershed System." This regulation was updated in 1994 to prohibit target shooting. This policy is supported by MDC's Master Policy for Public Access to preserve the apparent wilderness character in the system.

MDC Action Items:

- Continue enforcement.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Target Shooting	Prohibited	Prohibited	Prohibited	Prohibited



Advertising (e.g., Unauthorized placement of signs)

Policy:

Advertising, trail marking, or any other unauthorized placement of signs is prohibited in the Quabbin Reservoir Watershed System. All unauthorized, sign installation is prohibited.

Discussion:

Advertising in the Quabbin Reservoir Watershed System is prohibited by the Massachusetts Watershed Protection Regulation, 350 CMR 11.09(2)(a), which states: "Commercial signs and advertising are prohibited in the Watershed System." In addition, the Watershed Protection Regulation, 350 CMR 11.09(2)(a)(5), states: "All acts which injure the Commonwealth are prohibited. No Person shall injure, deface, destroy, remove, or carry off any property, real or personal, under the care and control of the Commission" This policy has been clarified and updated.

MDC Action Items:

- Develop a permit system for temporary signs including standards.

Access Summary Table:

Activity	Quabbin Park	Quabbin Reservation	Off- Reservation	Quabbin Reservoir
Advertising	Prohibited	Prohibited	Prohibited	Prohibited



OTHER ACTIVITIES

Policy:

All other public access or recreation oriented activities not specifically described in this plan, will be reviewed on a case-by-case basis by the Commission or its designee to determine MDC's specific policy.

V. Next Steps

As part of MDC's implementation of the *Public Access Plan - Quabbin Reservoir Watershed System*, the Division will conduct the following monitoring and evaluation activities:

A. Revisit and update the "MDC Public Access Plan - Quabbin Reservoir Watershed System" - Quabbin Reservoir Watershed System in 1999 to:

1. Identify and prioritize water quality threats;
2. Evaluate designated areas, roads/trails, seasons, permit systems; programs, and
3. Continue legislative and regulatory updates.

B. Evaluate the need for management areas for public access and recreation management using sub-basin delineation following the MDC-USGS ongoing project.

C. Evaluate the intensity of public access and recreational use of all watershed areas.

D. Develop strategic plan for invasive aquatic nuisances management in 1997.

E. Refine fishing area receipts' data collection.

F. Improve staff training and public education regarding water supply protection.

The Division has designed the "MDC Public Access Plan - Quabbin Reservoir Watershed System" to guide and control recreational usage of approximately 100,000 acres of MDC land and waters for water quality protection and ecological purposes. The Division has incorporated new information related to drinking water supply protection into this updated plan "MDC Public Access Plan - Quabbin Reservoir Watershed System." The primary sources of information included new legislation and regulations, scientific and professional literature review, public input, and field-staff recommendations. As a result of the Division's update, MDC has revised the 1988 Master Policy and Public Access Plan - Quabbin Reservoir Watershed System. The Division's revisions have clarified information gaps identified over the past seven years. The Division will continue to provide comprehensive watershed-based protection to Quabbin Reservoir Watershed System for present and future generations through systematic monitoring and evaluation. The Division will revise this plan in 2002 or earlier, if needed.

GLOSSARY OF TERMS USED

Listed in alphabetical order below are terms and definitions that the MDC uses throughout the "*MDC Public Access Plan - Quabbin Reservoir Watershed System*."

basin; sub-basin:

the land area from which all water flows to a single, identified water source, such as a stream, a river, or a reservoir. Sub-basin is used to refer to the basin of a tributary, or lower order stream (the higher the order, the greater the area drained).

Best Management Practices, BMP's:

in natural resources management, refers to a set of standards that have been designed for an activity, and often a region, to protect against degradation of resources during management operations.

***Cryptosporidium parvum* :**

a protozoan parasite found in humans and various wild and domestic animals that can be transmitted via water and often causes serious intestinal illness.

Geographic Information System (G.I.S.):

a computer-based analysis and mapping system for spatially-linked data sets.

***Giardia lamblia*:**

a protozoan parasite found in humans and various wild and domestic animals that can be transmitted via water and often causes serious intestinal illness.

MDC:

the Metropolitan District Commission, a Massachusetts State Agency within the Executive Office of Environmental Affairs.

MWRA:

the Massachusetts Water Resources Authority is an independent public authority established in 1984 by the Massachusetts legislature. MWRA's primary mission is to modernize the metropolitan area water and sewer systems, to conserve water resources, and to improve the water quality of Boston Harbor.

Off-Reservation:

MDC-controlled lands within the Quabbin Reservoir Watershed System that are generally outside the major highways surrounding the reservoir, but some exceptions exist (see Figure 2).

Quabbin Reservoir Watershed System:

all MDC-controlled lands and waters within, adjacent or in close proximity to the Quabbin Reservoir's watershed (see Figure 2).

Quabbin Reservation:

MDC-controlled lands that fall within the major highways surrounding Quabbin Reservoir which are contiguous to the reservoir, and that were part of the General Taking in the 1930's. This land area is subject to stricter MDC regulation than Off-Reservation lands, including the prohibition of general public hunting.

turbidity:

a water quality measure that is most commonly derived by measuring the proportion of a given amount of light that is deflected by suspended/dissolved sediments in a water sample, giving an indirect measure of these sediments. The most common unit for turbidity measurement is the Nephelometric Turbidity Unit (NTU).

APPENDICES

Appendix A Public Access Guidance Documents

Appendix B Select Massachusetts Regulations and Acts

Appendix C Public Input

- 1. June 1996 Workshop Summary**
- 2. October 1997 Public Hearing Summary**

Appendix D Excerpts from the 1988 Plan

Appendix E 1995 MDC Recreation Survey of Water Supply Systems

Appendix F Alternative Recreation Contacts

Appendix G Literature Review

Appendix H MDC Access Request Forms

APPENDIX A - PUBLIC ACCESS GUIDELINE DOCUMENTS

- A(1) "New England Water Works Association's Resolution & Policy Concerning Recreational Use of Public Water Supplies"**
- A(2) U.S. Environmental Protection Agency (EPA) Letter**
- A(3) 1997 "MDC Fishing Guide"**

PROCEEDINGS

NEW ENGLAND WATER WORKS ASSOCIATION, INC.

NEWWA's RESOLUTION & POLICY CONCERNING RECREATIONAL USE OF PUBLIC WATER SUPPLIES

Approved by the Board of Directors

December 21, 1995

WHEREAS:

It is a fundamental principal of water supply development and protection that water should be obtained from the highest quality source feasible, and effort should be made to prevent or control pollution of that source, and

Public water suppliers support the concept of multiple barrier protection of drinking water supplies in order to maximize public health protection by:

1. Source water protection,
2. Treatment, which may include filtration,
3. Preservation of finished water,
4. Monitoring,
5. Training and certification; and

WHEREAS:

During the past twenty years or more, there has been a tremendous increase in the demand for water based outdoor recreation, and

Public water supplies are often cited as prime areas for the development of recreation interests and facilities, and

The proponents of recreational use of water supplies often base their arguments on the excellent health record and quality of the finished water and not on the raw water which varies with the degree of human activity, and

WHEREAS:

The absence of waterborne disease in a community is not a viable reason for the relaxation of measures to protect a water supply, and

Public health records indicate that waterborne diseases have not been eliminated, and

There have been past experiences of gross water pollution where recreational use of water supplies was allowed, and

WHEREAS:

In New England, public water supply reservoirs are known to comprise only a small percentage of the total surface water area but provide drinking water to 80% of the region's population, and are therefore not forced to accept the concept of multiple use of water supply reservoirs as with reservoirs in other regions of the country, and

Appendix A - Public Access Guideline Documents

PROCEEDINGS

In the West, public water supply reservoirs are known to comprise a large percentage of the total surface water area, limiting the availability of recreational facilities, and

The State and Federal governments have spent billions of dollars to build sewage treatment facilities to make many previously polluted surface waters available for recreation, and

WHEREAS:

Water treatment facilities and the individuals who operate and maintain those facilities are not infallible, and

The legal and moral responsibility of providing a safe, high quality drinking water rests with the local water supply agency and water supply manager.

NOW, THEREFORE, BE IT RESOLVED:

That the New England Water Works Association (NEWWA) opposes legislation or *any* administrative action which will permit or require the opening of domestic water supply reservoirs and adjacent lands to recreational use, and

That the official policy of the NEWWA with respect to recreational usage of various types of water supply reservoirs and adjacent lands is as follows:

- 1) **EQUALIZING RESERVOIRS** - Reservoirs within the area served, delivering finished water (water ready for consumption) to the distribution system.

POLICY - Consistent with good water supply practices, equalizing reservoirs should be covered to preserve the quality of finished water and minimize the risk to public health. Recreational use of "equalizing reservoirs" and adjacent land is contrary to the basic function of protecting the public health by furnishing a safe, palatable water supply to customers and safe practice requires prohibition of *all* activity in and about such reservoirs.

- 2) **TERMINAL AND PRIMARY STORAGE RESERVOIRS** - Reservoirs and reservoir system components providing principal and/or end storage of water prior to treatment and delivery of finished water to the distribution system.

POLICY - Recreational use of terminal reservoirs and adjacent land is contrary to the basic function of furnishing a safe, palatable water supply to customers and should be prohibited to the greatest extent possible, but, in no event should direct contact with the reservoir be allowed. In addition, activities allowed to occur on adjacent lands should prohibit direct contact with water in the reservoir.

- 3) **UPSTREAM RESERVOIRS** - Reservoirs providing storage of water at various points in the watershed to supplement the terminal and primary storage reservoirs.

POLICY - Recreational use of upstream reservoirs should be subject to such limitations and controls as the water supplier considers necessary for preventing interference with its obligations to produce a safe, palatable water supply, in accordance with the applicable requirements for the protection of public health and drinking water as set forth by the regulating agency with oversight of drinking water supplies and responsible for administration and enforcement of state and federal drinking water regulations. The water supplier should reserve and exercise the final authority and responsibility to determine the terms and conditions under which specific recreational activity may be authorized.

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PROCEEDINGS

4) **EMERGENCY & RESERVED SOURCES OF SUPPLY** - There are numerous surface waters which are designated for use as emergency or standby reserved sources of water supply. Even though the frequency of use of such sources for consumption may be low, and may be accompanied by additional extraordinary measures to protect public health in the event of their use (e.g. boil water orders, disinfection or other emergency treatment measure), it is recommended that water suppliers have plans prepared to control use and access to such sources at or before such time they are proposed to be used. The plans for such use and access should consider the category of reservoir the emergency or reserve source falls within with respect to the consumer and apply the policy recommended for such category of reservoir as presented above.

IN ADDITION, IT IS RECOMMENDED that all proposals to allow recreation activities on a water supply reservoir or within the watershed and other contributing sources to a water supply reservoir should be reviewed for consistency with watershed protection plans and policies to ensure that such proposed activities do not conflict with measures required to protect a water supply or water supply watershed.

A proponent of recreational use of a public water supply must be required to provide technical evidence supporting the claim that such activity will not adversely affect the water quality, public health and safety of the water consumer served by said water supply. When a proposal for recreational use inconsistent with this policy is proposed for implementation over the objection of the water supplier, the matter of recreational use should be subjected to public review and hearing.

Water utilities and its rate payers should not bear the burden of financing recreational use; other sources of financing must be determined.

Appendix A - Public Access Guideline Documents



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
JOHN F. KENNEDY FEDERAL BUILDING
BOSTON, MASSACHUSETTS 02203-0001

December 5, 1995

Joseph McGinn, Esq.
Director, Division of Watershed Management
Metropolitan District Commission
20 Somerset Street
Boston, MA 02108

Dear Mr. McGinn:

I am aware that MDC will be conducting public hearings on its final draft of the Wachusett Watershed Public Access Plan during the week of December 5th, 1995. At this time, I would like to state EPA's support for MDC watershed management programs that limit public access of recreational activities at the Wachusett Reservoir watershed.

As you are well aware, regulations under the Surface Water Treatment Rule (SWTR) are very explicit with regard to watershed controls that must be in place to control activities which will adversely affect the microbiological quality of the water. SWTR regulations were developed to minimize the potential impact of pathogens from warm blooded mammals. I have reviewed MDC's new policy for management of public access at the Wachusett Reservoir and find the recommendations made by the Division of Watershed Management are consistent with EPA guidance to reduce and minimize the potential sources of contamination of waterborne pathogens.

EPA concurs that horses pose a significant potential threat to water quality from fecal coliform contamination, *Cryptosporidium* and *Giardia* pathogens. While EPA agrees there have been individual studies where horses have not been found to be carriers of *Giardia* and *Cryptosporidium* it is important to note there are studies that have found horses to be carriers of these parasites. Accordingly, until there is a more conclusive research on this topic, water suppliers are advised to provide watershed controls that afford the highest level of protection from fecal bacteria and other microbial pathogens that currently pose a public health threat to the drinking water consumer.

Sincerely,

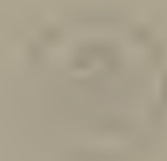
A handwritten signature in dark ink, appearing to read "J. Kevin Reilly", is written over the typed name.

J. Kevin Reilly
EPA New England Region
Massachusetts Office of Ecosystem Protection

cc: Jerome J. Healey, EPA
Jane Downing, EPA
Dianne Chabot O'Malley, EPA



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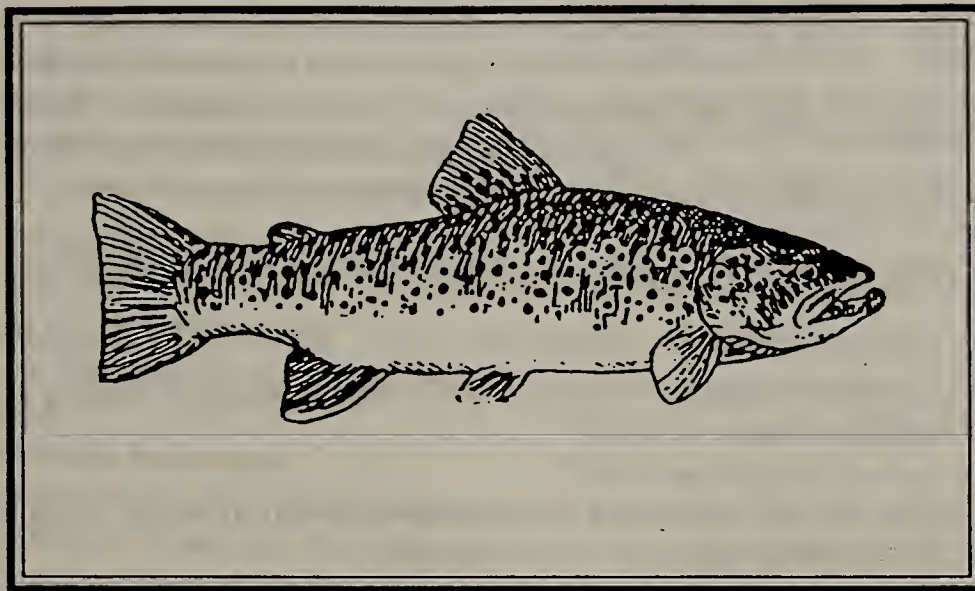
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QUABBIN

FISHING GUIDE

Metropolitan District Commission
Division of Watershed Management

Appendix A - Public Access Guideline Documents

Welcome to Quabbin Reservoir, the principal drinking water supply for 2.5 million Massachusetts residents in 46 communities. In addition to yielding drinking water of exceptional quality, Quabbin also offers some of the best fishing in the state.

Recent changes in federal laws governing public water supplies have placed greater attention on recreational activities at Quabbin. The Metropolitan District Commission operates the fishing program with environmental quality as its prime concern. Please help to preserve your fishing privileges and protect Quabbin's precious resources by following all Rules and Regulations. Thank you.

Season: The Quabbin fishing season runs from mid-April through mid-October.

Fees: You must be 16 years or older, with a Massachusetts Fishing License to rent or launch a boat.

Boat Rentals: Hourly rates vary depending on length of rental. Check with attendant for unused portion of rental deposit.

Rentals	Minimum	Maximum	Parking (per vehicle)	Deposit
Boat	\$ 2.00	\$ 7.00 (7 hrs.)	\$ 4.00	\$11.00
Motor	\$ 8.00	\$ 20.00 (7 1/4 hrs.)		
Boat & Motor	\$10.00	\$ 27.00	\$ 4.00	\$31.00
Shore Fishing (per vehicle)			\$ 4.00	\$ 4.00

Private Boat	} Regular Seniors & Handicapped *	\$2.00 per person
Launch Fee		\$1.00 per person

** Seniors (65 and older) pay half price except for rentals on weekends and holidays. Handicapped citizens pay half price at all times.*

Boat Size and Occupancy Limits

- * All boats, canoes and jon boats must be at least 12' long. Canoes and jon boats cannot be launched on the main body of the reservoir, but may be launched above the Regulating Dams at Area 3, Gate 43 in Hardwick (Pottapaug Pond) and Area 2, Gate 31 in New Salem.
- * No boats may carry more than four persons, and boats under 14', 6" are limited to three persons.
- * No canoe or jon boat may carry more than three persons, and canoes under 16' and jon boats under 14', 6" are limited to two persons.

Appendix A - Public Access Guideline Documents

Outboard Motor Size Limits

- * MDC rental boats are limited to 10 horsepower maximum. Private boats are limited to 1/2 the Boating Industries of America (BIA) or Outboard Boating Council (OBC) horsepower rating of the boat up to 20 horsepower.
- * Private boats may use two motors provided the total combined horsepower does not exceed the above.
- * 25 horsepower motors restricted to 20 horsepower are not allowed.

Regulations for Boating and Shore Fishing

Sanitary Regulations - The following are PROHIBITED:

- * Acts that pollute the water supply.
- * Fires.
- * Alcoholic beverages.
- * Motors larger than 20 horsepower.
- * Landing of boats on shoreline or islands except at designated areas.
- * Swimming or wading.
- * Dogs or other animals.
- * Boating beyond marked limits.
- * Disposal of any materials in the reservoir or reservation.
- * Kayaks & pontoon boats.

The following are REQUIRED:

- * Chock blocks on vehicle when launching and removing boat.
- * Rubber boots when launching and removing boat.

Safety Regulations:

- * Boats must be operated at a safe and reasonable speed.
- * Boats must be returned at posted times.
- * Persons under 16 must be accompanied by an adult when in a boat.
- * No more than four persons may occupy a boat. Boats under 14', 6" are limited to three persons.
- * Boats must be a minimum of 12' and in compliance with state boating laws.

Shore Fishing Regulations - The following are PROHIBITED:

- * Fires of any kind.
- * Obstruction of gates.
- * Entering restricted areas.
- * Night fishing without Night Access Permit.

Other MDC Regulations *

- * Assemblies of more than 25 persons must have a permit from MDC.
 - * Fishing derbies or any kind of gambling are prohibited.
 - * Other restrictions may apply to boats, motors, or occupancy.
 - * Contact Commission staff for further information.
- * Violations of these regulations are punishable by a \$500.00 fine or by imprisonment for not more than one year. Rule violations may result in the loss of fishing privileges. (Massachusetts General Laws, Chapter 92, Section 22)

Appendix A - Public Access Guideline Documents

Fishing Boat Launch Areas

To rent or launch a boat, one occupant of each boat must possess a valid Massachusetts Fishing License. All persons 15 or older who are fishing, must have a valid license. Private boats must be registered in compliance with state laws. Persons under 16 must be accompanied by an adult. Boat and motor restrictions apply (see page 2).

Boat Launching Area #1

Gate #8 in Pelham, off Route 202, 4 miles north of the intersection with Route 9. This area is considered prime for coldwater fish such as trout and salmon.

Boat Launching Area #2

Gate #31 in New Salem, off route 122, just south of the intersection with Route 202. This area provides a great variety of warmwater fish in addition to trout and salmon.

Boat Launching Area #3

Gate #43 in Hardwick off Greenwich Road, west of Route 32A. This area also offers excellent warmwater fishing, in addition to trout and salmon.

Canoe Fishing

Permitted with a valid fishing license above the horseshoe dams at Pottapaug Pond, Gate #43 and Gate #31. All fees apply. Canoes must be checked in with the MDC fishing area attendant before launching. Both areas have chain pickerel, largemouth bass, and a variety of other warmwater fish.

Boat Launching and Rentals

Boat Launching Areas are open from 6:00 AM to one hour before sunset, seven days a week from mid-April to mid-October. Return times will be posted daily (opening and closing times may vary due to weather conditions). Boats are rented on a first-come, first-served basis.

Shore Fishing Access

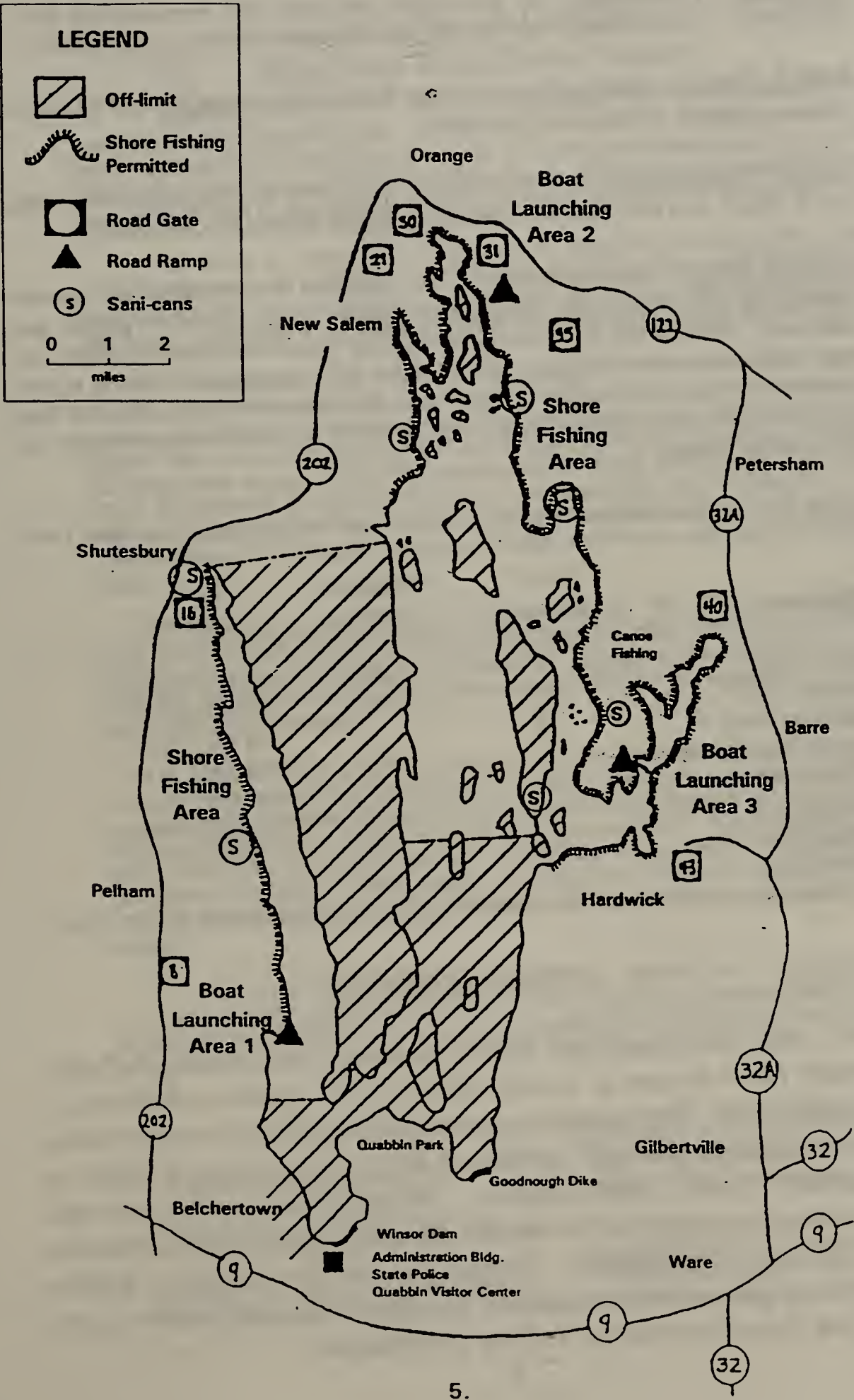
For those not launching boats, access to the reservation is available to all non-restricted areas. Shore fishing is allowed only along designated shorelines from mid-April to mid-October. Parking at gates is limited and vehicles must not block gates. Vehicles found parked in front of gates will be towed at the owner's expense. Shore fishing is allowed at Boat Launch Areas, but parking fees apply. Night fishing is permitted only at Gates 16, 31, 35, 41, and 43 and a valid Night Access Permit is required. Call the Quabbin Visitor Center for further details (413) 323-7221.

Rest Room Facilities

In order to address sanitary concerns for the fishing program, the MDC has placed temporary rest room facilities at sites throughout the Quabbin Reservation. These sites are marked with white buoys in the water near the landing areas. Please protect Quabbin's water by using the facilities and obeying the following regulations:

- * Beaching is permitted between the signs, only at designated sites (see map for locations).
- * Beaching is for rest room facility use only.
- * Ten-minute limit per boat.

Appendix A - Public Access Guideline Documents



Appendix A - Public Access Guideline Documents

Camping & Picnicking: For information on state park camping call (617) 727-3180. For information on private campgrounds call (617) 727-3201.

Bait & Tackle: Shops are located near Boat Launch Areas #1 and #3 and in Pelham, Orange, Athol, and Ware Areas.

Accommodations: Available near the three Boat Launch Areas in Orange, Athol, Ware, and Amherst and near the turnpike access in Chicopee.

Fishing Facts: Quabbin's fisheries is comprised of both coldwater species (salmonids and smelt) and warmwater species (bass, pickerel, perch, and bullhead). Most of the deep coldwater species occur on Quabbin's west arm, accessible from Gate #8 (Boat Launch Area #1). Deep water fishing is also available on the main part of the reservoir, but Gate #31 (Area #2) and Gate #43 (Area #3) also provide access to shallower waters which are better for warmwater fishing.

Bait: Live bait can be used; however, smelt bait is legal only after May 15th.

Species	Creel Number	Minimum Size	State Record
Lake Trout	2	18"	22 lbs. 10 oz..
Brown Trout *	1	15"	19 lbs. 10 oz..
Rainbow Trout *	3	---	13 lbs. 0 oz.
Landlocked Salmon	2	15"	10 lbs. 5 oz.
Chain Pickerel	5	15"	9 lbs. 5 oz.
Largemouth Bass	5	12"	15 lbs. 8 oz.
Smallmouth Bass	5	12"	8 lbs. 2 oz.
All Others	---	---	---

* Total daily creel is three (3) trout, but only one (1) may be a brown trout.

FISHING ADVISORY

The MDC and the Massachusetts Department of Public Health have issued a health advisory for persons consuming Quabbin fish. The advisory recommends limiting or eliminating consumption of certain species of fish due to elevated levels of mercury found in fish samples. Water testing results indicate that mercury has not affected the drinking water and its suitability for human consumption. Please consult the complete fishing advisory posted on the bulletin boards at the boat launch areas or ask the attendant for further information.

Quabbin - A Unique Resource With Many Values

Quabbin Reservoir is one of the largest man-made public water supplies in the United States. Created in the 1930's by the construction of two huge earthen dams, the reservoir is fed by the three branches of the Swift River, and seasonally by the Ware River. It remains a great engineering feat, and is one of the largest unfiltered water supplies in the world.

In order to flood the vast area of the Swift River Valley, 2,500 people comprising the entire population of Dana, Prescott, Enfield, and Greenwich had to be relocated. Hundreds of homes, businesses, a state highway, a railroad line, and 34 cemeteries were also moved or dismantled.

The reservoir was named Quabbin after a Native American word for "a place or meeting of many waters." This valley, once a plain with numerous ponds and rivers, and later a busy farming valley and resort area, is now the site of the principal supply of pure drinking water for 2.5 million people in 46 cities and towns in the Commonwealth. About two-thirds of the Swift River Watershed is owned by the Commonwealth and managed by the Metropolitan District Commission's Division of Watershed Management. The Division also maintains numerous dams, buildings, roads and recreational sites.

Quabbin's water covers 39 square miles. The reservoir is 18 miles long and has 181 miles of shoreline including 61 miles along the reservoir's 60 islands. Quabbin collects as run-off an average of one-half of the water that falls as rain or snow on the watershed. When full, Quabbin holds 412 billion gallons of water.

The Division of Watershed Management's mandate is to "utilize and conserve said water and other natural resources in order to protect, preserve and enhance the environment of the Commonwealth and to assure the availability of pure water for future generations." To accomplish this goal, the Division manages its watershed lands for water quality by maintaining a healthy and diverse forest cover. Quabbin also provides a unique site for important scientific research on water quality and wildlife topics.

For more information on the history, wildlife and management of the reservoir and watershed lands, come to the MDC Quabbin Visitor Center at Winsor Dam in Belchertown, open Monday through Friday from 8:30 AM to 4:30 PM and weekends from 9:00 AM to 5:00 PM, or call (413) 323-7221.

Other important numbers:

**State Police - Quabbin Barracks
(413-323-7561)**

**Quabbin Administration Building
(413-323-6921)**

**The Commonwealth of Massachusetts
Metropolitan District Commission
Division of Watershed Management**

*William F. Weld, Governor
Argeo Paul Cellucci, Lt. Governor
Trudy Coxe, Secretary, EOE
David B. Balfour, Jr., Commissioner, MDC*

Appendix A - Public Access Guideline Documents

Quabbin Loons & Eagles

The Common Loon and the Bald Eagle, both symbols of the wild, are uncommon nesting birds in Massachusetts. In fact, Quabbin is one of the few places in the state where loons and eagles are known to consistently nest. These birds can easily be disturbed during the nesting season and many abandon their nests if approached too closely.



Please Help Protect Our Loons and Eagles

- * Stay well away from nest sites.
- * Read and obey notices posted at Boat Launch Areas.
- * Respect "Wildlife Research Areas" as posted with signs or marked with red buoys.
- * Steer boats away from swimming loons or perched eagles.
- * Do not land boats on islands or shorelines.
- * Remember that both loons and eagles are protected by state and federal laws which are strictly enforced.

Dispose of fishing line and lead sinkers properly. Loons and eagles can become entangled in monofilament fishing line and wire leaders. Line and leaders have been found in Quabbin Bald Eagle nests and could kill young eagles. Loons have died from lead poisoning after swallowing lead sinkers. Please put tangled monofilament line in your pocket or tackle box and dispose of properly. Use non-toxic weights and sinkers instead of lead.

Quabbin - A Special Place

Scenic beauty, water and abundant wildlife resources make Quabbin a very special place. ***But remember...***

- * Quabbin is a drinking water supply for 2.5 million people.
- * It's continued purity and beauty depends upon careful and considerate use of the land and water.
- * Access is a privilege that carries with it a responsibility to know and obey rules and regulations to protect Quabbin's integrity.

Please...

- * Do not abuse this privilege.
- * Help keep Quabbin clean and preserve our privilege to use this unique resource.
- * Report violators to the State Police - Quabbin Barracks at (413) 323-7561.

APPENDIX B - SELECT MASSACHUSETTS REGULATIONS AND ACTS

- B(1) Watershed Protection Regulations, 350 CMR 11.00**
- B(2) M.G.L. c. 92 § 105. Division of Watershed Management Created; Powers and Duties**
- B(3) Kelly-Wetmore Act, Ch. 737, M.G.L.**

Appendix B - Select Massachusetts Regulations and Acts

WATERSHED PROTECTION ACT REGULATIONS

350 CMR 11.00

Division of Watershed Management, Metropolitan District Commission

Section

- 11.01: Introduction and Purpose
- 11.02: General Provisions
- 11.03: Definitions
- 11.04: Jurisdiction
- 11.05: Exemptions
- 11.06: Procedures
- 11.07: Maps
- 11.08: Relationship of Act with other State and Municipal Statutes, Ordinances and Regulations
- 11.09: General Rules and Regulations for the Protection of Watersheds and the Watershed System
- 11.10: Enforcement
- 11.11: Miscellaneous
- 11.12: Severability
- 11.13: Forms

11.01: Introduction and Purpose

(1) Introduction - 350 CMR 11.00 is promulgated by the Commissioners of the Metropolitan District Commission pursuant to the authority granted under St. 1992 c. 36. St. 1992 c. 36, § 2 amends M.G.L. c. 92, § 104 by adding certain definitions which are used in 350 CMR 11.03; St. 1992 c. 36, § 3 adds M.G.L. c. 92, § 107A defining the jurisdiction and exemptions contained in 350 CMR 11.04 and 350 CMR 11.05, respectively; and St. 1992 c. 36, § 4 amends M.G.L. c. 92, § 108 by requiring the Division of Watershed Management, after consultation with the Department of Environmental Protection, to make rules and regulations for the protection of Watersheds as defined in St. 1992 c. 36.

In addition, St. 1992 c. 36 and M.G.L. c. 92 authorize the Metropolitan District Commission and the Division of Watershed Management to make rules and regulations to protect the Watersheds as defined in St. 1992 c. 36 and the Watershed System as defined in St. 1992 c. 36 and M.G.L. c. 92. The Department of Environmental Protection is also required under St. 1992 c. 36, § 14 to adopt rules and regulations for the prevention of pollution and securing the sanitary protection of all waters used as sources of water supply in the Commonwealth other than in the Watersheds as defined in St. 1992 c. 36. Regulations currently exist for: (a) the sanitary protection of waters used by the Metropolitan District Commission (310 CMR 23.00); (b) land within Watershed Reservations (350 CMR 8.00); (c) sanitary rules and regulations for the Metropolitan Water Supply (350 CMR 9.00); and (d) fishing in Wachusett and Sudbury Reservoirs (350 CMR 10.00).

In order to facilitate review of all regulations promulgated by the Metropolitan District Commission and the Division of Watershed Management relating to Watersheds and the Watershed System, 350 CMR 11.09 includes regulations of general applicability to Waters of the Watershed System. The regulations in 350 CMR 11.09 are intended to supersede the regulations in 310 CMR 23.00, 350 CMR 8.01, 350 CMR 9.00, and 350 CMR 10.00, which shall be repealed on March 31, 1994.

(2) Purpose - The purpose of St. 1992 c. 36 is to improve the protection of the metropolitan water supply. St. 1992 c. 36 and 350 CMR 11.00 set forth a comprehensive scheme to regulate land use and activities within certain critical areas of the Watersheds and Watershed System.

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The purpose of 350 CMR 11.00 is to define and clarify the restrictions and prohibitions set forth in St. 1992 c. 36 by establishing standard definitions and procedures under which the Division of Watershed Management may carry out its responsibilities under St. 1992 c. 36. 350 CMR 11.00 shall complement St. 1992 c. 36 and shall have the force of law on March 31, 1994.

11.02: General Provisions

(1) Time Periods. Unless otherwise specifically provided in St. 1992 c. 36 or 350 CMR 11.00, computation of any time period referred to in 350 CMR 11.00 shall begin with the first day following the action which initiates the running of the time period. The last day of the time period so computed is to be included unless it is a Saturday, Sunday or legal holiday or any other day on which the office of the Division is closed, in which event the period shall run until the end of the next following business day. When the time period is less than seven days, intervening days when the Division is closed shall be excluded in the computation.

(2) Timely Filing. All Papers must be filed at the Division office or such other place as the Division shall specify in 350 CMR 11.00 within the time limits set forth herein.

Unless otherwise specifically provided in St. 1992 c. 36 or 350 CMR 11.00, Papers filed in the following manner shall be deemed to be filed as set forth herein:

(a) *Hand delivery during business hours*. By hand delivery during business hours shall be deemed filed on the day delivered.

(b) *Hand delivery during non-business hours*. By hand delivery at times other than during regular business hours shall be deemed filed on the next regular business day.

(c) *Mailing*. By placing in the United States Mail certified or registered mail, return receipt requested shall be deemed filed on the date received by the Division.

All Papers shall show the date received by the Division and the Division shall cooperate in giving date receipts to Persons filing Papers by hand delivery.

(3) Actions by the Division. Where St. 1992 c. 36 states that a particular action (except receipt of a request or notice) is to be taken by the Division, that action is to be taken by the person designated by 350 CMR 11.00 or, if by a committee, by more than half the members present at a meeting of at least a quorum. A quorum is defined as a Majority of the members then in office.

(4) Burden of Proof. Any Person who files a request for Advisory Ruling, a request for Watershed determination of applicability, an application for variance or a request for Exemption of a Tributary shall have the burden of producing credible evidence from a competent source in order to demonstrate to the Division or, in the case of an appeal, to the Commission, support for the position taken or the relief requested.

(5) Capitalized Terms. Any capitalized terms used in 350 CMR 11.00 shall have the meanings ascribed to such terms in 350 CMR 11.03.

11.03: Definitions

Advisory Ruling means a ruling issued by the Division pursuant to 350 CMR 11.06(1).

Agriculture, Land in Agricultural Use and Normal Maintenance or Improvement of Land in Agricultural Use shall have the meanings ascribed to such terms in 310 CMR 10.04.

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Massachusetts.

Discharge or Discharge of Pollutant means any addition of Pollutants or combination of Pollutants from any source including, but not limited to, discharges from surface runoff, which are collected or channelled by man and through pipes, sewers or other conveyances.

Disposal means the discharge, deposit, injection, dumping, spilling, leaking, incineration or placing into or on any land or water so that the matter disposed of may enter the environment or be emitted into the air or discharged into any waters, including Ground water.

Division means the Division of Watershed Management of the Commission.

Dwelling means any structure or building, or any portion thereof which is used, intended to be used, or designed to be occupied for human habitation purposes, including, but not limited to, houses, hotels, motels, apartments and condominiums.

Exemption Decision means a decision of the Division, in consultation with the Department, to exempt a Tributary from regulation under St. 1992 c. 36 issued pursuant to 350 CMR 11.06(4)(g).

Flood plain means the land adjoining a Tributary, Reservoir or Surface Water, which is subject to inundation from a flood having a 1% chance of being equalled or exceeded in any given year, commonly known as the 100 year flood plain, as determined by reference to the Maps, 350 CMR 11.07.

Generate or Generation of Pollutants means the origination, creation or production of Pollutants.

Ground water means water below the land surface in a saturated zone, including perched ground water.

Hazardous Material or Waste means any material or waste, in whatever form, which because of its quantity, concentration, corrosivity, flammability, reactivity, toxicity, or infectious, chemical or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Hazardous Material or Waste shall include those materials listed in 40 CFR 261, or 310 CMR 40.900 Appendix I.

Impervious means not allowing entrance or passage of water due to the presence on or above the ground of material having a percolation rate of greater than 30 minutes per inch, including, but not limited to, pavement, concrete, stone, peat, loam and other organic matter.

Leaching Field means a soil absorption system as such term is defined in Title 5 (350 CMR 15.00).

List of Affected Parcels means the list developed by the Division from maps prepared pursuant to M.G.L. c. 92 § 107A(q).

Lot means an area of land subject to St. 1992 c. 36 in one ownership with definite boundaries described in a deed or shown on a plan recorded in the registry of deeds or registered in the registry district of the land court.

Maps means the maps described in 350 CMR 11.07.

Majority means more than half of the members of any body making a decision pursuant to 350

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Alteration means:

- (a) draining, dumping, dredging, damming, discharging, excavating, filling or grading;
- (b) the erection, reconstruction or substantial expansion of any buildings or Structures;
- (c) the driving of pilings;
- (d) the construction or reconstruction or paving of roads and other ways;
- (e) the construction or reconstruction of utilities;
- (f) the changing of run-off characteristics;
- (g) the intercepting or diverting of ground waters, surface waters, reservoirs, tributaries, or aquifers; and
- (h) the installation or substantial expansion of drainage, sewage and water systems.

Applicability Decision means the written decision issued by the Division pursuant to 350 CMR 11.06(2)(e).

Aquifer means a geological formation, group of formations, or part of a formation in the Wachusett Watershed that is capable of yielding a significant amount of water to a well or spring, as determined by reference to the Maps, 350 CMR 11.07. The land directly overlaying an aquifer shall be deemed to be part of said aquifer.

Authority means the Massachusetts Water Resources Authority.

Bank means the portion of the land surface which normally abuts and confines a water body. It occurs between a water body and a Bordering Vegetated Wetland and adjacent Flood plain, or in the absence of these, it occurs between a water body and an upland. A bank may be partially or totally vegetated or may be comprised of exposed soil, gravel or stone. The upper boundary of a bank is the first observable break in the slope or the mean annual flood level, whichever is lower. The lower boundary of a bank is the mean annual low flow level.

Bordering Vegetated Wetland means a wet meadow, except meadows used for the grazing of livestock, marsh, swamp, bog or other area, hydrologically connected to and bordering on a Tributary, Reservoir, Flood plain, or Surface Water, which supports at least 50% wetland species and as defined in the Wetlands Protection Act as defined herein.

Commission means the Metropolitan District Commission.

Commonwealth means the Commonwealth of Massachusetts.

Date of Issuance means the date a determination, order or decision is hand delivered or mailed as provided in 350 CMR 11.00.

Date of Submission means the date the Division assigns a file number to a request or application submitted pursuant to 350 CMR 11.06. Assignment of a file number shall not imply that a request, application or supporting documents have been determined adequate to support the relief requested, but only that the submission is complete in accordance with the requirements of 350 CMR 11.06.

Department means the Department of Environmental Protection of the Commonwealth of

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Storage means the actual or intended containment on a temporary basis or permanent basis which does not constitute Disposal.

Structure means a combination of materials assembled at a fixed location to give support or shelter, such as, but not limited to, a Dwelling, a building, framework, retaining wall, tent, reviewing stand, platform, bin, fence over six feet high, sign, flagpole, recreational tramway, mast for radio antenna or the like. The word "structure" shall be construed, where the context requires, as though followed by the words "or part or parts thereof."

Subsurface Waste Water Disposal System means an on-site subsurface sewage disposal system as defined in Title 5 (310 CMR 15.00).

Surface Water(s) means water in the Watersheds, including any lake, spring, impoundment, and pond, as determined by reference to the Maps, 350 CMR 11.07. Surface water shall include the land located thereunder and the Banks thereto. Surface water shall exclude all Reservoirs, Tributaries, Aquifers, Ground waters, and man-made farm ponds used for irrigation, as well as so-called great ponds of the Commonwealth which do not drain into a Tributary or a Reservoir.

Title 5 means Title 5 of the Massachusetts Environmental Code governing standard requirements for the siting, constructing, repair, replacement and maintenance of on-site sewage treatment and disposal systems, 310 CMR 15.00.

Treatment means any method, technique, or process, including neutralization, incineration, stabilization or solidification, designed to change the physical, chemical or biological character or composition of any Hazardous Material or Waste so as to neutralize such Material or Waste or so as to render such Material or Waste less hazardous, non-hazardous, safer to transport, amenable to storage, or reduced in volume, except such method or technique as may be included as an integral part of a manufacturing process at the point of generation.

Tributary means a body of running water, including a river, stream, brook and creek, which moves in a definite channel in the ground due to a hydraulic gradient and which flows ultimately into a Reservoir in the Watersheds or the Ware River above the Ware River intake, as determined by reference to the Maps, 350 CMR 11.07. A Tributary shall include the land over which the water therein runs and the Banks thereto.

Uses and Activities means those uses and activities described in M.G.L. c. 92, § 107A(a) and (b)(2) and 350 CMR 11.04(3).

Variance Decision means the written decision issued by the Division pursuant to 350 CMR 11.06(3)(g).

Waters of the Watershed System means all waters that in their natural course would flow into the Ware River above the Colbrook Diversion, the open channel of the Wachusett Aqueduct, the Quabbin, Wachusett, Sudbury and Foss reservoirs and any other lake, pond, reservoir, aqueduct, stream, ditch, watercourse or any other open water under the provision of M.G.L. c. 92, § 109.

Watershed Reservation(s) means land within the Watershed System and described in St. 1972 c. 737 as amended by St. 1990 c. 436.

Watershed(s) means the Natural Basin from within which water drains or in the natural course would drain into the Quabbin Reservoir, the Wachusett Reservoir, or the Ware River upstream

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CMR 11.00.

Natural Basin means an area bounded peripherally by a water parting and draining ultimately to a particular water course or body of water; the catchment area or drainage basin from within which the waters of a stream or stream system are drawn.

Owning an Interest in Real Property or Real Property Interest means having alone, or jointly or severally with others:

- (a) legal title to real property;
- (b) the care, charge or control of real property in any capacity including, but not limited to as agent, executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the holder of legal title;
- (c) lessee under a written lease; or
- (d) an agent, trustee or other person appointed by the Courts of the Commonwealth.

Papers means all requests, documents, papers, notices, appeals and other written communications permitted or required by the regulations to be filed with the Division or the Commission.

Party Aggrieved means any Person who, because of an act or failure to act by the Division or the Commission under St. 1992 c. 36 or 350 CMR 11.00, may suffer an injury in fact which is different, either in kind or magnitude, from that suffered by the general public, and which is within the scope of the interests identified in St. 1992 c. 36. Such party must specify, in writing, sufficient facts to allow the Division or the Commission to determine whether or not the party is, in fact, aggrieved.

Person means an individual, partnership, corporation, firm, association or group, including a city, town, county, the Commonwealth or other governmental unit owning property or carrying on an activity regulated by St. 1992 c. 36.

Plans means such data, maps, engineering drawings, calculations, specifications, schedules and other materials, if any, deemed necessary by the Division to describe the Lot, portion of the Lot or the Alteration to determine the applicability of St. 1992 c. 36 or to determine the impact of the Alteration upon the interests identified in St. 1992 c. 36.

Pollutant means any substance, man-made or resulting from human activities, that can alter the biological, chemical, physical, or radiological character of water.

Reservoir means either the Wachusett or the Quabbin Reservoir.

Sewage Treatment Facility means any wastewater treatment facility used for treating, neutralizing or stabilizing sewage, including: treatment or disposal plants; the necessary intercepting outfall and outlet sewers; pumping stations integral to such facilities; and equipment and appurtenances related to the foregoing.

Sewer System means pipelines or conduits, pumping stations, force mains, and all other structures, devices, appurtenances, and facilities used for collecting and conveying wastes to a site or works for treatment or disposal.

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CMR 11.00, all properties identified in the List of Affected Parcels shall be presumed to be in an area regulated under 350 CMR 11.04(1)(a) through (g). Any property which is not identified in the List of Affected Parcels shall be presumed not to be in an area regulated under 350 CMR 11.04(1)(a) through (f).

(3) Uses and Activities Regulated or Prohibited.

(a) Any Alteration, or the Generation, Storage, Disposal or Discharge of Pollutants is prohibited within those portions of the Watershed that lie:

1. within 400 feet of the Bank of a Reservoir (350 CMR 11.04(1)(a)); or
2. within 200 feet of the Bank of a Tributary or Surface Waters (350 CMR 11.04(1)(b)).

(b) 1. Within those portions of the Watershed that lie:

- a. within the area between 200 and 400 feet of the Bank of a Tributary or Surface Water (350 CMR 11.04(1)(c));
- b. within the Flood plain of a Tributary or Surface Water (350 CMR 11.04(1)(d));
- c. within Bordering Vegetated Wetlands that border on Tributaries or Surface Waters or Reservoirs (350 CMR 11.04(1)(e));
- d. within land that overlays an Aquifer with a potential well yield of 100 gallons per minute or more as determined in accordance with St. 1992 c. 36 and 350 CMR 11.00 (350 CMR 11.04(1)(f)); or
- e. within land that overlays an Aquifer with a potential well yield of one or more but less than 100 gallons per minute, pursuant to a finding by the Division, in consultation with the Department, that regulation of said Aquifer is necessary for the protection of the quality of the water in the Surface Waters, Aquifers, Reservoirs or Tributaries (350 CMR 11.04(1)(g)),

2. the following uses are prohibited:

- a. the Disposal of Pollutants from either privately or publicly owned Sewage Treatment Facilities;
- b. the placement of the Leaching Field of a Subsurface Waste Water Disposal System less than four feet above the maximum water table level as measured at the time of annual high water;
- c. the storage of liquid petroleum products of any kind; provided, however, that an end user of such product, such as a resident in connection with normal residential use or a person responsible for supplying heat to a residence, may store a reasonable volume of such material so long as such storage is in a free standing container inside of the Structure, which Structure shall include at a minimum a foundation thereof with a poured cement slab floor or a concrete reservoir of sufficient volume to hold 125 percent of the tank's capacity;

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of the Ware River intake.

Watershed System means:

(a) all real and personal property interests held by or on behalf of the Commonwealth immediately prior to the effective date of St. 1992 c. 36 in and for the Metropolitan District Commission water system which were part of or appurtenant to the Quabbin Watershed, Quabbin Reservoir, Ware River Watershed, Wachusett Watershed, Wachusett Reservoir, North and South Sudbury watersheds, Sudbury Reservoir, Framingham Reservoirs 1, 2 and 3, Blue Hills Reservoir, Bear Hill Reservoir, Spot Pond Reservoir, Fells Reservoir, Weston Reservoir, Norumbega Reservoir, Chestnut Hill Reservoir, including land, easements, buildings, Structures, all equipment, machinery, vehicles and appliances, improvements, water rights and rights in source of water supply; and

(b) all enlargements and additions to the former Metropolitan District Commission water system acquired or constructed by the Division for the purpose of the Watershed System, including land, easements, buildings, Structures, equipment, machinery, vehicles, and appliances, improvements, reservoirs, dams, water rights and rights in sources of water supply, but excluding the Waterworks System of the Authority.

Waterworks System means waterworks system as defined in M.G.L. c. 92 App. and 360 CMR 10.00 et seq.

Wetlands Protection Act means the Wetlands Protection Act, M.G.L. c. 131, § 40 and regulations promulgated pursuant thereto, 310 CMR 10.00 et seq.

11.04: Jurisdiction

(1) Areas Regulated. Areas regulated by St. 1992 c. 36 and 350 CMR 11.00 include those portions of the Watersheds which lie:

- (a) within 400 feet of the Bank of a Reservoir;
- (b) within 200 feet of the Bank of a Tributary or Surface Waters;
- (c) within the area between 200 and 400 feet of the Bank of a Tributary or Surface Waters;
- (d) within the Flood plain of a Tributary or Surface Waters, including that flood plain;
- (e) within Bordering Vegetated Wetlands that border on Tributaries or Surface Waters or Reservoirs;
- (f) within land that overlays an Aquifer with a potential well yield of 100 gallons per minute or more as determined in accordance with St. 1992 c. 36 and 350 CMR 11.00; or
- (g) within land that overlays an Aquifer with a potential well yield of one or more but less than 100 gallons per minute pursuant to a finding by the Division, in consultation with the Department, that regulation of said Aquifer is necessary for the protection of the quality of the water in the Surface Waters, Aquifers, Reservoirs or Tributaries.

(2) Presumptions - Properties Identified in the List of Affected Parcels. For purposes of 350

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(d) In addition to, and without limiting, the prohibitions contained in 350 CMR 11.04(3)(a), (3)(b) and (3)(c), within those portions of the Watersheds that overlay Aquifers with potential well yields of over 300 gallons per minute as determined by the Division, the construction of any Dwelling which exceeds a density of one bedroom per acre and any use which may generate more than 110 gallons of sanitary sewage per acre per day are prohibited.

(e) In making the calculation required under 350 CMR 11.04(3)(b)2.i. all contiguous real property within an area described in 350 CMR 11.04(1) owned by the same Person shall be used, in the aggregate; provided, however, that said area may be so used in making such calculation for only one Lot.

(f) In making the calculation required under 350 CMR 11.04(3)(b)2.p., all contiguous real property within an area described in 350 CMR 11.04(1) owned by the same Person shall be used, in the aggregate, to determine the total acreage for density purposes; provided, however, that said area may be so used for determining area density for only one Lot.

11.05: Exemptions

The provisions of 350 CMR 11.04 shall not apply to the following:

(1) Uses, Structures or Facilities in Existence. Uses, Structures or facilities lawfully in existence or for which all applicable municipal, state and federal permits and approvals, other than building permits and permits for septic systems, were obtained prior to July 1, 1992;

(2) Reconstruction, Extension or Structural Change. Any reconstruction, extension or structural change to any Structure lawfully in existence on July 1, 1992, provided that such reconstruction, extension or structural change:

(a) does not constitute a substantial change to or enlargement of that lawfully existing Structure; and

(b) does not degrade the quality of the water in the Watershed;

(3) Lot in Existence. The construction of one single-family Dwelling on any Lot existing as such prior to July 1, 1992, or the division of an owner occupied Lot existing as such as of July 1, 1992 into one additional Lot for a single family dwelling; provided that, wherever possible, there shall be no Alterations within the areas described in 350 CMR 11.04(1)(a) and 11.04(1)(b);

(4) Construction - Sewer System. The construction of any Dwelling described in 350 CMR 11.04(3)(b)2.p., 11.04(3)(c) or 11.04(3)(d) if a Sewer System existed prior to July 1, 1992 to which a direct connection shall be made without expansion of capacity and said connection is used for all sanitary sewage of any Dwelling or other Structure resulting from said construction;

(5) Tributaries. Tributaries, or portions thereof, which the Division, in consultation with the Department, has exempted pursuant to 350 CMR 11.00, upon a determination that such exemption will pose no significant risk to the quality of the water, after taking into account the rate of flow, slope, soil characteristics, proximity to a Reservoir or the Ware River above the Ware River intake, the current level of water quality and the current degree of development;

(6) Work of the Division. The Division, in the performance of its responsibilities and duties to protect the quality of the water in the Watersheds, or the Authority in the performance of its

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- d. the Treatment, Disposal, use, generation or Storage of Hazardous Material or Waste, except a reasonable volume of Hazardous Material or Waste incidental to normal residential use;**
- e. the Storage and the Disposal of solid waste other than a reasonable volume incidental to normal residential use;**
- f. the outdoor Storage of road salt or other de-icing chemicals; provided, however, that 350 CMR 11.00 shall not prohibit the outdoor Storage of sand, gravel or materials used in road construction which are not Hazardous Materials or Waste;**
- g. the outdoor Storage of fertilizers, herbicides and pesticides;**
- h. the use or Storage of pesticides or herbicides which carry a mobility rating as provided for by the United States Environmental Protection Agency or which have been determined by the Commonwealth using United States Environmental Protection Agency standards to pose a threat or potential threat to Ground water;**
- i. the outdoor, uncovered Storage of manure;**
- j. the servicing, washing or repairing of boats or motor vehicles other than as reasonably incidental to normal residential use;**
- k. the operation of junk and salvage yards;**
- l. the rendering impervious of more than ten percent of any Lot or 2,500 square feet, whichever is greater;**
- m. the excavation of gravel and sand to a depth greater than six feet above the maximum water table, except where incidental to the construction of permitted Structures;**
- n. the Alteration of Bordering Vegetated Wetlands;**
- o. any other activity which could degrade the quality of the water in the Watersheds as determined by the Division after consultation with the Department; provided, however, that de-icing may be performed on a roadway under procedures approved by the Commonwealth's Secretary of Environmental Affairs; or**
- p. the construction of any Dwelling which exceeds a density of two bedrooms per acre or any use which may generate more than 220 gallons of sanitary sewage per acre per day.**

(c) In addition to, and without limiting, the prohibitions contained in 350 CMR 11.04(3)(a) and (3)(b), within those portions of the Watersheds which overlay Aquifers with potential well yields of between 100 and 300 gallons per minute as determined by the Division, or land whose regulation has been determined to be necessary for the protection of the quality of the water in the Surface Waters, Aquifers, Reservoirs and Tributaries, pursuant to 350 CMR 11.04(1)(g), the construction of any Dwelling which exceeds a density of one and one-third bedrooms per acre and any use which may generate more than 147 gallons of sanitary sewage per acre per day are prohibited.

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municipal Sewage Treatment Facility or new municipal water system if the Division determines that water quality will not be adversely impacted from said construction and provided that such new systems comply with all existing regulations and standards applicable to water pollution abatement districts.

11.06: Procedures

(1) Advisory Rulings

(a) *Request for Advisory Ruling.* Any person Owning an Interest in Real Property may, by written request to the Division at the addresses specified in 350 CMR 11.11 by certified mail or hand delivery, request an Advisory Ruling as to:

1. whether such Person's property is located within an area regulated by St. 1992 c. 36 or 350 CMR 11.00; or
2. whether existing or proposed Structures, Uses or Activities on such Person's property are permitted under St. 1992 c. 36 or 350 CMR 11.00 by virtue of the exemptions set forth in 350 CMR 11.05.

(b) *Information Required.* Such written request shall identify the property by street address and include:

1. a copy of the current Assessor's Map showing the location of the property or reference to the applicable Assessor's Map by sheet and parcel number;
2. a copy of (or reference to) the most recent edition of the Massachusetts Geographic Information System map based on the United States Geological Survey, 1 to 25,000 scale, quadrangle maps, showing the location of the property;
3. a copy of such Owner's deed as recorded in the applicable registry of deeds; and
4. copies of any plans, mortgage inspection plans and tape surveys of the property which are available.

(c) *Issuance of Advisory Ruling.* Within 30 days of the Date of Submission of a request for Advisory Ruling, the Division may issue a written ruling to the Person who submitted the request, or in its sole discretion, the Division may notify such Person that a request for Watershed determination of applicability is required pursuant to 350 CMR 11.06(2).

(d) *Remedy.* The Person to whom an Advisory Ruling is issued shall have no right to appeal such ruling, but may at such Person's election, submit a request for Watershed determination of applicability or an application for variance in accordance with 350 CMR 11.00. A Person who has not been issued an Advisory Ruling within 30 days may, at such Person's election, resubmit the request, or submit a request for Watershed Determination of Applicability or an application for variance in accordance with 350 CMR 11.06.

(e) *Authorization; limitations.* Any Advisory Ruling hereunder shall be issued by the Division pursuant to and subject to the limitations of M.G.L. c. 30A, § 8.

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responsibilities and duties to maintain, operate and improve the Waterworks System;

(7) Conversion of Land for Agricultural Use. Conversion of Land for Agricultural Use or preparation of Land for Agricultural Use; provided, however, that such conversion shall be made under a plan approved by the United States Department of Agriculture, Soil Conservation Service and the Commission, in consultation with the Commonwealth's Department of Food and Agriculture;

(8) Maintenance of Public Roadways in Existence. The maintenance, repair, replacement or reconstruction of public roadways existing as of September 1, 1989 or railroad track and rail bed existing as of September 1, 1990, including associated drainage systems, that are necessary to preserve or restore the facility's serviceability for the number of travel lanes and uses existing as of September 1, 1990; provided, however, that in the case of any replacement the design is substantially the functional equivalent of, and is of similar alignments to that which is being replaced; provided, further, that design plans and specifications for said work on roadways, or railroad track and rail beds are provided to the Division prior to the work's commencement;

(9) Maintenance or Improvement - Agricultural. Activities relating to normal maintenance or improvement of Land in Agricultural Use; provided, however, that such activities do not impair the quality of the water;

(10) Construction of Public Highways. The construction of public highways, railroad track and rail beds and facilities directly related to their operation; provided, that the Commonwealth's Secretary of Environmental Affairs has determined that such highway or transportation service construction project requires direct access to or location in the lands described in 350 CMR 11.04(1) to avoid or minimize damages to the environment and that said Secretary and the Division have determined that such construction does not materially impair the quality of the water in the Watersheds;

(11) Maintenance of Public Utilities. The maintenance, repair or expansion of lawfully located Structures or facilities used in the service of the public to provide electric, gas, water, sewer, telephone, telegraph and other telecommunication services; provided, however, that such maintenance, repair or expansion activities, Structures, or facilities do not materially impair the quality of water in the Watersheds as determined by the Division after consultation with the Department;

(12) Maintenance of Public Utilities - Wetlands. The maintenance, repair or replacement, but not the substantial changing or enlargement of, an existing and lawfully located Structure or facility used in the service of the public and used to provide electric, gas, water, sewer, telephone, telegraph and other telecommunication services in Bordering Vegetated Wetlands; provided, however, that such maintenance and repair activities do not materially impair the quality of water in the Watersheds;

(13) Clean up or Prevention of Releases. The undertaking by any Person, municipality, the United States government or the Commonwealth of temporary operations to clean up, prevent or mitigate releases of Hazardous Material or Waste;

(14) Changes in Agricultural Crops Produced. Changes in agricultural crops produced;

(15) Agricultural Technologies. The use of new or existing agricultural technologies that do not degrade the quality of water in the Watersheds more than the present agricultural technologies that such new or existing agricultural technologies replace; and

(16) Municipal Sewage Treatment Facility or Water System. The construction of a new

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1. concurred with the land surveyor's determination set forth in a request for Determination under 350 CMR 11.06(2)(a)1.; or
2. determined that the proposed Structures, Uses and Activities on such Person's property described in the request for Determination are permitted by St. 1992 c. 36 and 350 CMR 11.00; or
3. determined that such Structures, Uses and Activities will not impair or materially impair the quality of water in the Watersheds.

(f) *Appeal.* A Person to whom the Division's Applicability Decision has been issued, who seeks to appeal such Decision, shall file a Notice of Claim for an Adjudicatory Proceeding with the Commission at the address specified in 350 CMR 11.11 within 21 days from the Date of Issuance of the Decision by the Division. The procedures for appeal before the Commission shall be as set forth in 801 CMR 1.00 et seq. At the time of filing of such Notice of Claim, a copy shall also be filed with the Division.

(3) Variances

(a) *Variances.* The Division may grant a variance from the provisions of St. 1992 c. 36 and 350 CMR 11.00 with respect to particular Structures, Uses and Activities, and shall grant, upon request, a variance with respect to crossings of Tributaries and Bordering Vegetated Wetlands, where the Division specifically finds that owing to circumstances relating to the soil conditions, slope, or topography of the land affected by such Structures, Uses or Activities, desirable relief may be granted without substantial detriment to the public good and without impairing the quality of water in the Watersheds.

(b) *Presumptions and Standards for Required Findings.*

1. There shall be a presumption that granting a variance from the applicability of St. 1992 c. 36 and 350 CMR 11.00 to specific Structures, Uses and Activities is contrary to the achievement of the purpose of St. 1992 c. 36. This presumption may be rebutted only by the submission of credible evidence by the Person submitting the application for variance to establish that such variance may be granted without substantial detriment to the public good and without impairment of water quality in the Watersheds.
2. The standard of substantial detriment to the public good shall mean a factual determination by the Division of the overall effect of the proposed Structure, Use or Activity at a particular location in relation to the purpose of St. 1992 c. 36.
3. The standard of impairment of water quality shall mean:
 - a. the risk of water quality impairment presented by Structures, Uses and Activities which are permissible under all other relevant federal, state and local laws, but would not be permissible under 350 CMR 11.00 without a variance; and
 - b. the cumulative risk of water quality impairment from all Structures, Uses and Activities allowed under current regulations over time.

(c) *Applications.* Any Person Owning an Interest in Real Property may make an application for variance to the Division (See 350 CMR 11.13) by filing the same by certified mail or hand delivery with the Division at the address specified in 350 CMR

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(2) Requests for Watershed Determinations of Applicability

(a) *Filing.* Any Person Owning an Interest in Real Property who desires a determination as to whether or not:

1. such Person's property is located within an area regulated by St. 1992 c. 36 or 350 CMR 11.00;
2. proposed Structures, Uses or Activities on such Person's property are permitted under St. 1992 c. 36 or 350 CMR 11.00;
3. a reconstruction, extension or structural change constitutes a substantial change or enlargement or one which will degrade the quality of water under 350 CMR 11.05(2);
4. Alterations within areas described in 350 CMR 11.04(1)(a) and 11.04(1)(b) in connection with construction permitted under 350 CMR 11.05(3) are possible;
5. the maintenance, repair or replacement activities described in 350 CMR 11.05(9), (10) or (11) will impair or materially impair the quality of the water in the Watersheds; or
6. a new municipal Sewage Treatment Facility or new municipal water system will have an adverse impact on water quality under 350 CMR 11.05(16),

may submit to the superintendent of the Reservoir of the Watershed in which such property is located at the address specified in 350 CMR 11.11, by certified mail or hand delivery, a request for Watershed determination of applicability (See 350 CMR 11.13).

(b) *Land Surveyor Determination.* Any request for Determination under 350 CMR 11.06(2)(a)1. shall be accompanied by a written determination of a land surveyor registered with the board of registration of professional engineers and land surveyors of the Commonwealth as to whether such Person's real property interests are located within areas regulated by St. 1992 c. 36.

(c) *Related Statement.* Requests for Watershed Determinations other than those in 350 CMR 11.06(2)(a)1. shall include a detailed description of the Structures, Uses and Activities which are proposed.

(d) *Additional Materials.* All surveys and additional materials or studies required to make a determination, whether or not requested by the Division, shall be prepared and delivered at the sole cost of the Person desiring the determination.

(e) *Issuance of Applicability Decision.* Within 60 days of the Date of Submission of such request for Watershed Determination, the Division shall issue a written Applicability Decision to the Person who submitted such request, in form suitable for recording in the registry of deeds or registration in the registry district of the land court where the property is located (See 350 CMR 11.13), which shall contain a brief statement of the reasons for the Decision. If the Division fails to issue the Applicability Decision within such 60 day period, the Division shall be deemed to have:

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grant a variance without substantial detriment to the public good and without impairing the quality of water in the Watersheds.

(e) *Additional Materials.* All surveys and additional materials or studies required to act on an application for variance, whether or not requested by the Division, shall be prepared and delivered at the sole cost of the Person submitting the application.

(f) *Public Hearing.* Within 30 days of the Date of Submission of the application for variance with the Division, the Division shall hold a public hearing. Notice of the time and place of the public hearing shall be given by the Division, at the expense of the Person who submitted the application, not less than five days prior to such hearing by publication in a newspaper of general circulation in the city or town where the property in question is located and by mailing a copy of such notice to the Person who submitted the application at the address specified in the application, and to the Building Inspector, Conservation Commission, and Board of Health in such city or town. At the request of the Person who submitted the application filed with the Division at least two days before the date of such hearing, the date of the hearing may be rescheduled to a time which is mutually convenient for such Person and the Division, provided that such rescheduled time shall permit re-publication of notice as provided herein. The public hearing may be continued, with the consent of the Person who submitted the application, to an agreed upon date, which shall be announced at the hearing. At the public hearing, such Person may be represented by counsel and/or professional consultants and may present oral or written evidence and oral or written testimony of witnesses.

(g) *Variance Decision.* Within 30 days of the close of the public hearing, the Division shall issue a written Variance Decision on the application for variance. If the variance is granted, the Division may impose in the Variance Decision such reasonable conditions, safeguards and limitations as it may find desirable in its sole discretion, which, based on the application for variance and the evidence presented at the public hearing, are necessary to protect the water in the Watersheds. If a variance is denied, the Variance Decision shall contain a brief statement of the reasons for the denial. The granting of a variance is limited to the provisions of St. 1992 c. 36. All other applicable laws, regulations and ordinances shall not be affected by the granting of a variance.

(h) *Recording of Variance Decision.* No variance granted hereunder shall take effect until a Variance Decision (See 350 CMR 11.13) shall have been recorded and indexed in the grantor index in the registry of deeds or registered in the registry district of the land court for the county or district where the property is located, containing any conditions applicable thereto and describing the land by metes and bounds or by reference to a recorded or registered plan showing the property's boundaries.

(i) *Appeal.* A Person to whom a Variance Decision is issued, who seeks to appeal the Division's Variance Decision, shall file a Notice of Claim for an Adjudicatory Proceeding with the Commission at the address specified in 350 CMR 11.11 within 21 days from the Date of Issuance of the Variance Decision by the Division. The procedures for appeal before the Commission shall be as set forth in 801 CMR 1.00 *et seq.* At the time of filing of such Notice of Claim, a copy shall also be filed with the Division.

(4) Exemption of a Tributary

(a) *Exemption of a Tributary.* The Division, in consultation with the Department, may exempt a Tributary, or portions thereof, upon a determination that such exemption will pose no significant risk to the quality of water, after taking into account the following factors:

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11.11. A copy of the application for Variance shall be sent to the Department at the address specified in 350 CMR 11.11.

(d) *Detailed Statement.* The application for variance shall include a detailed description of the Structures, Uses and Activities proposed on such Person's property. The application for variance shall include detailed information regarding each specifically enumerated factor stated in 350 CMR 11.06(3)(a). Detailed information regarding each factor shall be provided as follows:

1. *Soil Conditions.* A map prepared at a minimum scale of 1"=100' indicating the soil types as mapped by the USDA Soil Conservation Service ("SCS") shall be provided. Site specific soils data, including borings, test pits and percolation tests, may be submitted including copies of all field logs, notes, observations, conclusions and test methods employed. A detailed analysis of the soil characteristics of erodibility and permeability shall be provided. Permeability should be described in terms of percolation rate measured as minutes per inch as specified in Title 5 (310 CMR 15.00).
2. *Slope.* Calculations of the ground slope at all lands within the areas that would be subject to St. 1992 c. 36 if the variance were not granted shall be provided. The results of such calculations shall be presented graphically on a map prepared at a scale of 1"=100' or larger, expressed as percent slope. Where applicable, the average slope of a Tributary measured as the change in elevation divided by the distance in stream miles from the upstream point of the Tributary at or near such Person's property to the downstream point of the Tributary at or near such Person's property shall also be stated.
3. *Topography.* A topographical plan at a minimum scale of 1"=100' or larger showing contour elevations at two foot intervals shall be submitted. Said plan shall be prepared and stamped by a professional surveyor or engineer registered in the Commonwealth of Massachusetts and shall show the location of all areas which would be subject to St. 1992 c. 36 if the variance were not granted. The plan shall show the location of all Ground water, soil and percolation test locations. Such topographic information as depth to the maximum annual high Ground water table, depth to ledge or refusal, and distances from all mapped and unmapped streams, ponds and water bodies shall also be provided.
4. *Water Quality.* The application shall include a detailed analysis of the impacts on Surface Water and, where applicable, Ground water quality of any proposed Structure, Use or Activity which would be allowed if the variance is granted. An evaluation of the potential impact of such proposed Structure, Use or Activity on water quality by reference to the Department's Surface Water Quality Standards for Class A Surface Waters and Outstanding Resource Waters of the Commonwealth, set forth in 314 CMR 4.00 et seq., and/or where applicable, the Massachusetts Ground Water Quality Standards, set forth in 314 CMR 6.00 et seq. shall be provided. The application shall include the water quality data and results to support each analysis and shall provide a detailed description of any methodology employed in performing such analysis to show that water quality will not be impaired by the Structure, Use and Activity for which the variance is being requested, whether during construction or upon continued use or operation of such Structure, Use or Activity.
5. *Mitigating Measures.* The application shall include an analysis of any mitigating measures which will be used which would enable the Division to

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1. **Flow Rate.** The request shall include the flow rate of the Tributary stated as the annual average daily stream flow, reported as cubic feet per second ("cfs") as measured at the downstream point of discharge for the Tributary or portion thereof, taking into account the entire contributing drainage area. Such flow rate may be based on field data collected in accordance with accepted stream flow measurement methods as established by the United States Geologic Survey, or estimated based on procedures established by the United States Geologic Survey. The request shall describe, in depth, the basis and method employed for the reported flow rate to assess full build-out scenarios.

2. **Slope.** The request shall state the average slope at the Tributary measured as the change in elevation divided by the distance in stream miles from its source to the downstream point of discharge. The ground slope of all lands adjacent to the Tributary within the areas that would be subject to St. 1992 c. 36 if the exemption were not granted shall be calculated and the results of such calculations shall be presented graphically on a map prepared at a scale of 1"=100' or larger, expressed as percent slope.

3. **Soil Characteristics.** A map prepared at a minimum scale of 1"=100' shall be submitted indicating the soil types as mapped by the SCS. Site specific soils data supporting or contradicting the SCS soil mapping including borings, test pits and percolation tests may be submitted including copies of all field logs, notes, observations, conclusions and test methods employed. A detailed analysis of the soil characteristics of erodibility and permeability shall be provided. Permeability should be described in terms of a percolation rate measured as minutes per inch as specified in Title 5 (310 CMR 15.00).

4. **Proximity to a Reservoir or the Ware River above the Ware River Watershed.** Proximity of the Tributary proposed to be exempted to a Reservoir or the Ware River above the Ware River intake shall be indicated by reference to the Protection Zone, defined by the Department's Division of Water Supply, Watershed Resource Protection Plan Policy as Zone A, Zone B and Zone C. The measured distance in stream miles from the downstream discharge point of the Tributary or portion thereof in question from that Tributary's ultimate point of confluence with a Reservoir or stream miles above the Ware River intake shall be stated.

5. **Water Quality.** The request shall include water quality monitoring data for the Tributary consisting of, at a minimum, monthly samples for a continuous one year period at a sampling station located at or near the downstream point of discharge of the Tributary or portion thereof for which exemption is requested. Water quality data of the Division and the Department may be utilized in satisfaction of this requirement where such data is available. Minimum analysis shall include fecal coliform bacteria, color, turbidity, temperature, pH, dissolved oxygen, total suspended solids, total phosphorus, ammonia nitrogen and chloride. A detailed analysis of the water quality data with reference to the Department's Surface Water Quality Standards for Class A Surface Waters and Outstanding Resource Waters of the Commonwealth, 314 CMR 4.00 et seq., shall be provided. The request shall include a detailed

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1. rate of flow;
2. slope;
3. soil characteristics;
4. proximity to a Reservoir or the Ware River above the Ware River intake;
5. the current level of water quality; and
6. the current degree of development.

(b) *Presumptions and Standards for Required Findings.*

1. The standard of no significant risk to the quality of water refers to:
 - a. the risk of water quality impairment presented by Structures, Uses and Activities which are permissible under all other relevant state, federal and local laws, but would not be permissible under 350 CMR 1-1.00 without an exemption; and
 - b. the cumulative risk of water quality impairment from all Structures, Uses and Activities allowed under current regulations over time.
2. There shall be a presumption that exempting a Tributary or portion thereof is contrary to the achievement of the purpose of St. 1992 c. 36. The presumption may be rebutted only by the submission of credible evidence by the Person submitting the request for Exemption to establish that such exemption will pose no significant risk to the quality of water, taking into account the factors enumerated at 350 CMR 11.06(4)(a).

(c) *Requests for Exemption.*

1. A request for Exemption of a Tributary may be made by:
 - a. An affected landowner;
 - b. Any state agency or regional planning commission;
 - c. The Board of Selectmen, City Council, Mayor, Planning Board or Conservation Commission of any city or town which would be affected by the exemption; or
 - d. The Governor or any member of the General Court.
2. A request for Exemption of a Tributary shall be made to the Division (See 350 CMR 11.13) by filing the same by certified mail or hand delivery with the Division at the address specified in 350 CMR 11.11. A copy of the request for Exemption of a Tributary shall be sent to the Department at the address specified in 350 CMR 11.11.

(d) *Detailed Statement.* The request for Exemption of a Tributary shall include detailed information regarding each specifically enumerated factor listed in 350 CMR 11.06(4)(a)1. through 6. Such detailed information shall be provided based on conditions existing as of the time of the request and based on conditions which would, or may, result if such exemption were granted and if development occurred to the maximum extent and type allowed by current law. Detailed information on each factor shall be provided as follows:

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(h) *Notice of Exemption.* Notice of the Exemption Decision shall be mailed to the Person who submitted the request, and to the City Council or Board of Selectmen in the city or town where the Tributary is located. Notice shall also be published once in a newspaper of general circulation in such city or town, provided, however, that a failure to publish shall not affect the validity of the Exemption Decision. A record of the Exemption Decision shall be kept on file with the Division and, if a Tributary or portion thereof is exempted, the affected area shall be shown on the most recent edition of the Massachusetts Geographic Information System Map (See 350 CMR 11.07).

(i) *Appeal.* A Person to whom an Exemption Decision is issued, who seeks to appeal the Division's Exemption Decision, shall file a Notice of Claim for an Adjudicatory Proceeding with the Commission at the address specified in 350 CMR 11.11 within 21 days from the Date of Issuance of the Exemption Decision by the Division. The procedures for appeal before the Commission shall be as set forth in 801 CMR 1.00 et seq. At the time of filing of such Notice of Claim, a copy shall also be filed with the Division.

(5) Work Pending Appeal of Applicability Decision, Variance Decision or Exemption Decision - No Alterations shall be made or Structures, Uses or Activities commenced until a final administrative or judicial determination has been made and all appeal periods shall have expired if the Division issues:

(a) an Applicability Decision that the property is located in an area regulated by St. 1992 c. 36, that the Structures, Uses or Activities proposed are prohibited by St. 1992 c. 36 under 350 CMR 11.04(3), or that the Structures, Uses or Activities will impair or materially impair the quality of water in the Watersheds; or

(b) a Variance Decision denying the variance requested in an application for variance; or

(c) an Exemption Decision denying a request for Exemption of a Tributary.

11.07: Maps

(1) *Aquifers.* The location and potential well yield of Aquifers shall be determined by reference to the most recent edition of maps generated by the Massachusetts Geographic Information System based on the United States Geological Survey Water Resource Atlases.

(2) *Flood plains.* The location of Flood plains shall be made by reference to the most recent edition of the Flood Hazard Boundary Maps issued by the Federal Emergency Management Agency.

(3) *Surface Waters and Tributaries.* The location of Surface Waters and Tributaries shall be determined by reference to the most recent edition of maps generated by the Massachusetts Geographic Information System based on the United States Geological Survey, 1 to 25,000 scale quadrangle maps.

(4) *Adoption of More Accurate Maps.* With respect to any of the maps referred to in 350 CMR 11.07, the Division, in consultation with the Department, may adopt more accurate maps pursuant to notice and a public hearing as provided by M.G.L. c. 30A. The Division shall file any of such maps which are adopted with the Clerk of the House of Representatives and Clerk of

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analysis of the impact on water quality of any potential Structures, Uses or Activities allowed if the exemption is granted.

6. Development. A general plan showing existing land use within the contributing drainage area upstream at the point of discharge of the Tributary or portion thereof shall be provided. The request shall include a calculation of the percent imperviousness of the contributing drainage area based on the existing land uses shown and shall indicate the change of percent imperviousness which may result from any Structures, Uses or Activities allowed or proposed if the exemption is granted.

7. Other Information. The request shall include a detailed description of the Structures, Uses and Activities which are or may be proposed to occur within those areas which would be subject to St. 1992 c. 36 without the exemption and shall include an analysis of any mitigating measures which will be used which would ensure that granting the exemption would present no substantial risk to the quality of water.

(e) Additional Materials. All surveys and additional materials or studies required to act on a request for Exemption of a Tributary, whether or not requested by the Division, shall be prepared and delivered at the sole cost of the Person submitting the request.

(f) Public Hearing. Within 30 days of the Date of Submission of the request for Exemption of a Tributary with the Division and the Department, the Division and the Department shall hold a public hearing. Notice of the time and place of the public hearing shall be given by the Division, at the expense of the Person who submitted the request, not less than five days prior to such hearing by publication in a newspaper of general circulation in the city or town where the property in question is located and by mailing a copy of such notice to the Person who submitted the request at the address specified in the request, and to the Building Inspector, Conservation Commission and Board of Health in such city or town. At the request of the Person who submitted the request filed with the Division at least two days before the date of such hearing, the date of the hearing may be rescheduled to a time which is mutually convenient for such Person, the Division and the Department, provided that such rescheduled time shall permit re-publication of notice as provided herein. The public hearing may be continued, with the consent of the Person who submitted the request, to an agreed upon date, which shall be announced at the hearing. At the public hearing, such Person may be represented by counsel and/or professional consultants and may present oral or written evidence and oral or written testimony of witnesses.

(g) Exemption Decision. Within 60 days of the close of the public hearing, the Division shall issue a written Exemption Decision on the request for Exemption of a Tributary. If the exemption is granted, the Division may impose in the Exemption Decision such reasonable conditions, safeguards and limitations as it may find desirable in its sole discretion, which, based on the request for Exemption of a Tributary and the evidence presented at the public hearing, are necessary to protect the water in the Watersheds. If the exemption is denied, the Exemption Decision shall contain a brief statement of the reasons for the denial. The granting of an exemption is limited to the applicability of St. 1992 c. 36. All other applicable laws, regulations and ordinances shall not be affected by the granting of an exemption.

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contributing to the pollution or potential pollution shall notify the Commission and the Department immediately.

(2) Watershed System.

(a) General Regulations.

- 1. Entrance on and exit from land of the Watershed System shall be made through gates or other designated areas.**
- 2. No Person is allowed within any land of the Watershed System, except from one hour before sunrise to one hour after sunset, unless authorized by a written permit from the Commission or its designee.**
- 3. Powered boats are prohibited within the Waters of the Watershed System except in areas designated by the Commission or its designee.**
- 4. All acts which pollute or may pollute the water supply are prohibited. No litter or refuse of any sort may be thrown or left in or on any land or water within any Watershed System. All Persons within said System shall use the sanitary facilities provided for public use.**
- 5. All acts which injure the property of the Commonwealth are prohibited. No Person shall injure, deface, destroy, remove or carry off any property, real or personal, under the care and control of the Commission, including but not limited to, all historic artifacts and natural materials. The removal of gravel, topsoil, stones, boulders, or other earthen material is prohibited from the Watershed System except for removal for official use for land management purposes by Commission staff. No Person shall build or construct any object or structure of the property of the Commonwealth except with the written permission of the Commission or its designee.**
- 6. Cooking and all fires are prohibited within the Watershed System.**
- 7. No Person shall wade or swim in any reservoir except wading while using boots for the purpose of launching boats at designated boat launch areas.**
- 8. No Person shall wade or swim in any Tributary or Surface Waters on or within the property of the Commonwealth except at areas designated by the Commission or its designee.**
- 9. Organized sports activities, including but not limited to orienteering and baseball, are prohibited in the Watershed System except by written permit from the Commission or its designee.**
- 10. Any violation of 350 CMR 11.09 will be deemed sufficient cause for revocation of fishing privileges for a period of time not less than one year from the time of violation. The Commission and its employees are not responsible for any damage to or loss of property sustained by fishermen, or for any injury or loss of life which may be incurred in connection with public use of the reservoirs and Watershed System.**
- 11. Breach of peace, profanity or other disorderly conduct offensive to the general public is strictly prohibited within the Watershed system. Possession of and drinking of alcoholic beverages is prohibited within said System.**

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the Senate and such maps shall not take effect until 90 days have elapsed from the time of said filing. Copies of maps which have taken effect shall be filed with the Chief Executive Officers of all cities and towns within the Watersheds, provided that the Division's failure to do so shall not invalidate the maps or any actions taken by the Division in connection therewith.

11.08: Relationship of Act with other State and Municipal Statutes, Ordinances and Regulations

350 CMR 11.00 is intended solely for use in administering St. 1992 c. 36; nothing contained herein should be construed as preempting or precluding more stringent protection of the areas regulated by St. 1992 c. 36 by other statutes, ordinances, by-laws or regulations. The duties and obligations imposed by St. 1992 c. 36 shall be in addition to all other duties and obligations imposed by any general or special law or regulation or any by-law, ordinance or regulation lawfully adopted pursuant thereto.

11.09: General Rules and Regulations for the Protection of Watersheds and the Watershed System

In order to facilitate review of all regulations promulgated by the Commission and the Division relating to Watersheds and the Watershed System, this Section includes regulations of general applicability to Waters of the Watershed System. The regulations in 350 CMR 11.09 are intended to supersede the regulations in 310 CMR 23.00, 350 CMR 8.01, 350 CMR 9.00, and 350 CMR 10.00.

(1) Waters of the Watershed System.

(a) No Person shall take or divert any Waters of the Watershed System of the Commission and no Person shall corrupt, render impure, waste or improperly use any such water.

(b) No Person shall:

1. engage in any construction activity involving filling, dredging, grubbing or altering land without adequate provisions to prevent erosion resulting in clay, silt or other turbidity laden waters from entering the Waters of the Watershed System;
2. construct, establish or maintain any agricultural facility or place where animal manure may be deposited or accumulated without adequate provision to prevent any manure or other Pollutant from flowing or being washed into the Waters of the Watershed System;
3. engage in any other activity which could degrade the quality of Waters of the Watershed System or interfere with their use as a source of water supply.

(c) No Person shall allow a condition to exist on such Person's property which could result in the direct or ultimate discharge of any Pollutant into the Waters of the Watershed System.

(d) Any records of any board of health or health agent concerning matters within the Watershed shall be open to inspection by the employees and agents of the Commission and the Department.

(e) Whenever an incident occurs, is likely to occur, or a situation exists that threatens to add Pollutants to the Waters of the Watershed System, the Person causing or

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Commonwealth wardens or enforcement officers.

24. The Watershed System or parts thereof may be closed for public access at the discretion of the Commission or its designee when necessary to protect the lands and waters under the care and control of the Commission.

25. The possession of all types of metal detectors or similar devices is prohibited on all of the Watershed System property.

(b) Special Regulations for Quabbin Reservoir.

1. Persons in compliance with Commonwealth Fish and Game Laws and Regulations, will be allowed to fish from shore in areas designated by the Commission or its designee. A valid state fishing or sporting license is required by any Person renting or launching a boat at any Commission facilities subject to 350 CMR 11.09. Reasonable fees for the use of boats, for rental of outboard motors for fishing purposes, or use of Commission facilities including parking and boat ramps, may be charged by the Commission.

2. Persons permitted to fish from boats shall, at all times, be responsible for the sanitary condition of the boats. Persons under 16 years of age must be accompanied by a Person possessing a valid fishing license in order to boat on Quabbin Reservoir.

3. Only boats of a minimum length of 12 feet, and of a type considered safe by the Commission representative in charge, shall be used. No inboard motors, collapsible boats, sailboats, pontoon boats, square sterned canoes, or other similar craft will be permitted in the water, and no boats will be permitted in the water except in areas designated for boating by the Commission or its designee. Outboard motors shall have a rating of not more than one-half the BIA or OBC rated horsepower for the boat and shall not exceed 20 horsepower, except that outboard motors for Commission boats less than fourteen 14 feet six inches in length shall not exceed ten horsepower. Boats less than 14 feet six inches in length will be limited to three occupants, and boats of that length and in excess thereof may be licensed to carry four occupants. No boats shall carry more than four occupants. Canoes and jon boats of a minimum length of 12 feet, and of a type considered safe by the Commission representative in charge, shall be used and only in areas designated for boating by the Commission on Pottapaug Pond above the regulating dam and at Gate 31 above the regulating dam. Canoes less than 16 feet and jon boats less than 14 feet six inches in length will be limited to two occupants, and canoes and jon boats in excess thereof may be licensed to carry three occupants. All boats must be in compliance with current Commonwealth Boating Laws. All boats must be clean and contain no refuse of any kind. Commission personnel shall have the right to inspect all private boats launched at Commonwealth facilities and may deny access in order to protect water quality or the safety of occupants. Chock blocks must be used on vehicles when removing boats from the Reservoir.

4. No Person shall operate a motor boat at a speed other than reasonable and proper or in such a manner as to annoy or endanger the occupants of other boats.

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12. No Person shall drive a motorized vehicle within the Watershed System except upon roads authorized for such use by the Commission or its designee. Recreational vehicles are prohibited on all Watershed System property except the use of snowmobiles in areas designated by the Commission or its designee. Motor vehicles shall be parked only in areas designated by the Commission or its designee. Operators of motor vehicles shall obey all regulatory signs unless otherwise directed by a police officer or person in charge. No Person shall willfully obstruct the free passage of vehicles or Persons within the Watershed System. Vehicle access for official use may be granted by the Commission or its designee.

13. No Person shall bring any animal within any Watershed System property except for horses and dogs at the Ware River Watershed at areas designated by the Commission or its designee.

14. The use of bicycles, skis and other means of non-motorized transportation within the Watershed system shall be permitted only in areas designated by the Commission or its designee.

15. No Person, except in an emergency, shall bring, land or cause to descend within any Watershed System property any aircraft except with a written permit from the Commission or its designee.

16. Parades, games, fairs, carnivals, fishing derbies, bazaars, gifts or solicitations for raising or collecting funds shall not be permitted within the Watershed System without written approval of the Commission or its designee.

17. Lotteries, raffles, gambling and games of chance are prohibited; and no Person shall have possession of machinery, instruments or equipment of any kind for use of same in the Watershed System.

18. Public assemblies of more than 25 persons shall not be allowed within the Watershed System without a written permit from the Commission or its designee.

19. No Person shall engage in any business, sale or display of goods or wares within the Watershed System without a written permit from the Commission or its designee.

20. Commercial signs and advertising are prohibited in the Watershed System.

21. No Person shall have possession of or discharge any weapon, firearm, fireworks, or other explosive on or within the Watershed System except at times and areas designated by the Commission or its designee. All forms of target shooting are prohibited on or within the Watershed System.

22. No Person may hunt, shoot or trap animals on or within any Watershed System property except at times and in areas designated by the Commission or its designee.

23. All Persons within the Watershed System shall obey the lawful directions of regulatory signs, police officers or persons in charge, or of Federal or

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and imposing administrative penalties pursuant to M.G.L. c. 21A, § 16 and 310 CMR 5.00. Such written request by the Division to the Department may seek enforcement for a specified type of violation or area, for a designated group of cases or for an individual matter.

11.11: Miscellaneous

(1) Addresses - Offices of Division

Metropolitan District Commission
Quabbin Reservoir
485 Ware Road
Belchertown, Massachusetts 01007

Metropolitan District Commission
Wachusett Reservoir
P.O. Box 206
Clinton, Massachusetts 01510

(2) Address of Commission -

Metropolitan District Commission
First Floor
20 Somerset Street
Boston, Massachusetts 02108

(3) Address of Department -

Department of Environmental Protection
Commonwealth of Massachusetts
Regional Division
One Winter Street
Boston, Massachusetts 02108

(4) Access to Property by Division - Any Person making a request for Watershed determination of applicability, an application for variance or a request for Exemption to the Division shall, upon request, allow the Division or its duly authorized representatives to inspect the property in question in order to assist the Division in the determination which is to be made. Personnel of the Division may enter, at reasonable times, any property, public or private, for the purpose of investigating or inspecting any condition relating to the discharge or possible discharge of Pollutants into the Watershed System and may make such tests as may be necessary to determine the existence and nature of such discharge as provided in M.G.L. c. 21, § 4.

11.12: Severability

If any provision or any part of 350 CMR 11.00 or the application thereof is held to be invalid, such invalidity shall not affect any other provision of 350 CMR 11.00.

11.13: Forms

Forms for use under the Watershed Protection Act shall be as follows:

Form 1 - Request for Watershed Determination of Applicability

Form 2 - Applicability Decision

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5. Fishing from the shorelines of the Quabbin Reservoir and its Tributaries within the Watershed System or from boats shall be allowed only during a season designated by the Commission or its designee. All privately-owned boats, motors and other equipment must be removed from the property of the Commission each day.

6. Boats shall not leave the mooring areas before dawn, and must return at the time posted at each mooring area. The beaching of boats at any point except at the designated mooring and landing areas is strictly prohibited, except in cases of extreme emergency.

(c) Special Regulations for Ware River.

1. Persons in compliance with Commonwealth Fish and Game Laws and Regulations will be allowed to fish in the Ware River in areas designated by the Commission or its designee.

2. Powered boats and powered canoes are prohibited within the Ware River Watershed Reservation.

(d) Special Regulations for Wachusett Reservoir.

1. Persons in compliance with Commonwealth Fish and Game Laws and Regulations will be allowed to fish from the shore of Wachusett Reservoir in areas designated by the Commission or its designee.

2. Boating is prohibited in Wachusett Reservoir.

3. Fishing from the shoreline of the Reservoir shall be allowed only during a season designated by the Commission or its designee.

(e) Special Regulations for Sudbury Reservoir.

1. Persons in compliance with Commonwealth Fish and Game Laws and Regulations will be allowed to fish from the shore of Sudbury Reservoir in areas designated by the Commission or its designee.

2. Boating is prohibited on Sudbury Reservoir except in areas designated by the Commission or its designee.

11.10: Enforcement

Any Person who, without lawful authority, takes or diverts any Waters of the Watershed System or corrupts or defiles any such Waters or any source of such Waters or who violates and refuses to comply with any rule, regulation or order of the Commission shall be subject to the fines set forth in M.G.L. c. 92, § 111. The provisions of 350 CMR 11.00 shall be enforced upon petition of the Commission or of any town or Person interested by the Supreme Judicial Court or Superior Court or any justice of either court as provided in M.G.L. c. 92, § 112. In addition, upon written request by the Division, the Department shall have the authority to enforce the provisions of St. 1992 c. 36 and 350 CMR 11.00 by all legally permitted enforcement mechanisms including, but not limited to: issuing notices of noncompliance; convening pre-enforcement conferences; issuing water supply orders pursuant to M.G.L. c. 111, § 160;

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Form 3 - Application for Variance

Form 4 - Variance Decision for Recording in Registry of Deeds

Form 5 - Request for Exemption of a Tributary

Forms 1, 3 and 5 and a Guidance Document, which may be of assistance in completing the forms, may be obtained from the Division at the addresses specified in 350 CMR 11.11(1) and (2).

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M.G.L. c. 92 § 105. Division of Watershed Management Created; Powers and Duties.

“There shall be within the commission a division of watershed management which shall be subject to the provisions of chapter seven hundred and thirty-seven of the acts of nineteen hundred and seventy-two. The division shall construct, maintain and operate a system of watersheds, reservoirs, water rights and rights in sources of water supply, shall supply thereby a sufficient supply of pure water to the Massachusetts Water Resources Authority, and shall utilize and conserve said water and other natural resources in order to protect, preserve and enhance the environment of the commonwealth and to assure the availability of pure water for future generations. The division shall maintain a visitors’ informational center at the Quabbin reservation.”

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years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 4. This act shall take effect upon its passage.

Approved July 17, 1972.

Chap. 737. AN ACT PROVIDING FOR THE CONSERVATION AND REGULATION OF CERTAIN LANDS UNDER THE CONTROL OF THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. In this act, the following words and phrases, unless otherwise expressly provided or the context otherwise provides, shall have the following meanings:

"Commission", the metropolitan district commission.

"Commissioner", the commissioner of the metropolitan district commission.

"Ware river watershed", those parcels of land under the control of the commission and being situated wholly or partly in the towns of Rutland, Oakham, Barre, Hubbardston, Templeton and Princeton and being shown on plan of land entitled "Ware River Watershed, General Plan", dated November 22, 1965, Metropolitan District Commission, Commonwealth of Massachusetts, filed in the office of the commission.

"Quabbin reservoir area", those parcels of land including the Prescott Peninsula, so-called, contiguous to the reservoir under the control of the commission and presently lying within the bounds of Routes 9, 32, 32A, 122 and 202 and being situated wholly or partly in the towns of Pelham, Belchertown, Ware, Hardwick, Petersham, New Salem and Shutesbury, and being shown on plan of land entitled "General Plan of Quabbin Reservoir Watershed, dated February 18, 1969, Metropolitan District Commission, Water Division, Quabbin Section, Commonwealth of Massachusetts", filed in the office of the commission.

"District", the combined lands identified in this act as the Ware river watershed and the Quabbin reservoir area, which are a portion of the total lands comprising the Quabbin section of the metropolitan water district.

SECTION 2. The natural ecology of the district shall be maintained, and it shall be conserved in its present degree of wilderness character and shall be protected in its flora and fauna in all reasonable ways to assure the balanced wildlife habitat and to allow camping with the approval of the district superintendent and in areas subject to his approval. Except as otherwise specifically authorized herein, no act or practice shall be undertaken which will adversely affect the balance of nature in the district. The commission shall make and promulgate such rules and regulations regarding the uses authorized herein as are reasonably necessary to conserve the wilderness, watershed and reservoir character of the district.

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SECTION 3. No lands or real property which are a part of the district shall be leased or sold or otherwise transferred without approval of the general court, nor shall there be any new or additional construction on said lands or real property except by the commission consistent with the purposes of this act.

SECTION 4. No new or additional roads or ways shall be constructed within the district, excepting only such ways as shall be required for forest management and fire control, or for watershed and reservoir purposes, nor shall existing soft surface roads or ways be hard surfaced, provided, however, that existing ways may be maintained and kept passable and in repair.

SECTION 5. The commission shall not permit the dumping of refuse or waste within the district except where such is allowed by permit granted by the commission prior to the effective date of this act for as long as such permit remains in effect, except, however, the commission may dispose of such refuse or waste resulting from normal operation of the district.

SECTION 6. No person shall take or remove and no town within the district shall authorize the taking or removal of sand, gravel, dirt or soil, nor any other mineral, from or within the district, except only that the commission may take such of these materials as are required for commission use within the district and may allow such use of these materials as may be required pursuant to section five.

SECTION 7. The commissioner, or his designee, shall annually prepare a plan detailing forestry activities, logging or lumbering activities, proposed plantings and the like which are to be undertaken for the next following year, which plan shall be open to inspection by the public.

SECTION 8. Lumbering or logging operations shall be permitted within the district to the extent and for the purpose of maintaining and conserving its forests in a healthful state of natural ecological balance consistent with reservoir and watershed purposes, but such lumbering and logging operations shall not be of a tree farming nature, so called, wherein natural diversification of tree species is upset nor wherein wildlife habitat or food chain growth is adversely affected. All lumbering or logging operations shall be performed under private contract pursuant to the bidding laws of the commonwealth the proceeds of which shall be used in whole or in part for the further management of the aforesaid forests, excepting only for such emergency salvage operations as are deemed necessary by the forester, and with the further exception that the commission may take such lumber as is needed for its own use consistent with this act. All such lumbering or logging operations shall be supervised by the forester who shall designate cuttings and shall make and enforce such rules as are necessary regarding disposal of slash and toppings, construction of logging ways or ramps, or the like, to conserve said forests within the intent of this act. No tree shall be felled or cut within one hundred feet of any river or stream or flow line of reservoir or pond within the district which change the character of stream beds, except for such emergency or salvage cuttings as aforesaid.

SECTION 9. The public shall have access to the lands of the district for such recreational uses as are permitted by, and are consistent with the provisions of this act, except that the Prescott peninsula shall be set aside as a natural site for ecological and wildlife study and access thereto shall be regulated by the commission.

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SECTION 10. Hunting shall not be allowed in the Quabbin reservoir area, however hunting may be permitted within the Ware river watershed subject to the rules and regulations of the commission and the division of fisheries and game regulating hunting.

SECTION 11. Powered boats or powered canoes shall not be used anywhere within that portion of the Ware river lying within the present bounds of Routes 68, 62, 122, 122A and 56, nor shall all-terrain or amphibious vehicles be operated in, on or through the streams, ponds or other waters within these same bounds except for official use.

SECTION 12. There shall be no overnight camping within the Quabbin reservoir area nor within that portion of the Ware River Watershed defined in the first sentence of section eleven of this act, nor shall tents be erected nor trailers or other vehicular sleeping accommodation be parked overnight therein.

SECTION 13. Motor vehicles, snowmobiles and other recreational vehicles may be operated within the Ware River Watershed only upon established vehicular ways and trails, or in such other areas as shall be designated by the commission. Public entry to the Quabbin reservoir area shall be limited to foot passage only, except that motor vehicles and manually operated bicycles may be admitted to such roads and ways within the Quabbin reservoir area as shall be designated by the commission. There shall be no racing of motor driven vehicles within the district, nor shall any associated rallies or commercial ventures be held therein. Snow vehicles or all-terrain vehicles shall be permitted within the Quabbin reservoir area only for official use.

SECTION 14. Notwithstanding any other provision of this act the establishment, construction and operation by the University of Massachusetts, hereinafter referred to as the university, of an astronomical observatory may be continued in compliance with and pursuant to the permit granted November twenty-sixth, nineteen hundred and sixty-nine by the commission, to the university, provided that access to the site of the said astronomical observatory shall be limited to such access road as may be specifically designated by the commission for the purpose, and provided further that no person or equipment, other than construction, maintenance and repair personnel and equipment, operating personnel and equipment and such students in the field of astronomy as may be authorized by the university for the purpose, shall be entitled to be admitted to the aforesaid site except in accordance with and under the provisions of this act. Any such person so admitted shall be subject to supervision while on the site by an officer or official of the university designated for said purpose. Similarly, the construction, maintenance and operation of the United States Air Force antenna installations in compliance with and pursuant to the permit granted November twenty-sixth, nineteen hundred and sixty-nine may be continued under the agreements pertaining thereto.

SECTION 15. The provisions of this act and of all rules and regulations made under the authority thereof shall be enforced by the commissioner, his duly appointed agents, by metropolitan district commission police officers, by police officers of any city or town, by members of the state police and by enforcement officers of the department of natural resources.

Approved July 17, 1972.

APPENDIX C - PUBLIC INPUT

C(1) Summary Table Public Input from MDC's Public Workshop, June 1996

C(2) Public Comment Letters

I. Friends of Quabbin (2/96)

II. J.R. Greene (3/96)

III. Trout Unlimited (4/96)

IV. Water Supply Citizen's Advisory Committee (WSCAC) (7/96)

V. P. Seamans (3/97)

THE UNIVERSITY OF CHICAGO
LIBRARY
1100 EAST 58TH STREET
CHICAGO, ILL. 60637
TEL. 733-4331
FAX 733-8328
WWW.CHICAGO.EDU

Appendix C - Public Input

Public Input

Table 1. Public input on problem areas and issues related to public access and recreation management within the Quabbin Reservoir watershed

ACTIVITY	PRESENT MDC POLICY	PUBLIC INPUT
<ul style="list-style-type: none"> ◦ Dogs ◦ Horseback Riding 	Prohibited throughout the Quabbin Reservoir Watershed System.	9 comments received: 8 in support of present policy; 1 amend present policy
<ul style="list-style-type: none"> ◦ Bicycling 	Allowed with restrictions (see map for areas): Quabbin Park - Allowed along paved roads only; Quabbin Reservation Allowed through the following gates on designated roads only: Gates 29, 35, 40, 43, or 44; and Off-Reservation - Allowed on main forest roads only.	10 comments received: 8 in support of present policy - 2 oppose loop creation; 2 favor creation of looped trail
<ul style="list-style-type: none"> ◦ Night Access 	Allowed with restrictions (seasonal, location, access type): Season - Allowed during Quabbin Fishing Season Locations - Allowed through the following gates only: Gates 16, 31, 33, 35, 41, or 43. PEDESTRIAN ACCESS ONLY.	9 comments received: 7 in support of present policy; 2 favored increased night access areas.
<ul style="list-style-type: none"> ◦ Cross-country skiing 	Allowed with restrictions: Off-Reservation - Allowed Reservoir - Prohibited Quabbin Park - Prohibited Quabbin Reservation - Prohibited	10 comments received: 8 in support of present policy; 2 favored opening new areas.
<ul style="list-style-type: none"> ◦ Boating or Boat Fishing on Ponds (Bassett, South Spectacle or, Peppers Mill Ponds) and below the Winsor dam on the Swift River. 	Present Policy Needs Clarification:	8 comments were received: 5 in support of boats (no motor) on all ponds. 1 opposed to boats on Pepper's Mill. 2 opposed to boats on the Swift River below the Winsor Dam.
<ul style="list-style-type: none"> ◦ Other Activities: Metal detecting, target shooting, and advertising. 	Specifically Prohibited per current regulations.	6 comments were received. 6 in support of present policy on all three activities.

Appendix C - Public Input

P. O. Box 257
Shutesbury, MA 01072
February 7, 1996

Mr. William E. Pula
Superintendent
Division of Watershed Management
Quabbin Section
485 Ware Road
Belchertown, MA 01007

Dear Mr. Pula:

I have been instructed by the Board of Directors to communicate to you the opposition of the Friends of Quabbin to any new or further public recreational uses of the watershed area.

If you feel any need to discuss this stance with the Board it would be our pleasure to do so.

Cordially,

A handwritten signature in cursive script, appearing to read "William E. Randall".

William E. Randall
Chairman

J. R. Greene
33 Bearsden Rd.
Athol, MA 01331-3401
(508)-249-9376

*Rec'd
3/26/96
cmh*

Appendix C - Public Input

Mar. 23, 1996

Lisa Gustavsen / William Pula
MDC Watershed Div.
Administration Bldg.
Ware Rd.
Belchertown, MA

Dear Lisa & Bill:

This letter is to put some of my thoughts on paper regarding the draft of public access plan for Quabbin passed out at the QWAC meeting on March 18.

I do not see the need for any major changes in the current access / recreation policy. The enforcement aspect, brought up under "Problems, a" would seem to me to be the major deterrent to preventing problems at the Quabbin. Efficient enforcement of the current rules and regulations, and more public education about them should prevent many of the problems of illegal activities there.

As stated at the meeting, the possibility of opening up a "continuous" bicycle trail in the northern Quabbin watershed should be explored. One possible route could presumably begin where the paved road at Gates 29-30 intersects the dirt road which runs east to Fishing Area #2. From a point just east of the parking area, a dirt road runs southeastward to a junction with the road from Gate 34. To avoid the junction (with the road from Gate 33) at Hacker (or Bassett) Pond, an old road that runs south of Gate 32 could be reopened to carry this traffic down to the road south of Hacker Pond. This leads to the paved road from Gate 35, from which the railroad bed can be reached.

Another connecting bicycle route would utilize the existing paved road from Gate 43A to Fishing Area #3, then continue past that spot along the dirt road (called the Southworth Road) along the west side of Pottapaug Hill, to the Dana-Greenwich Road. The latter road is currently open to bicycling. This would open up a connection between Dana Common and Hardwick, and utilize only about 1 1/2 miles of previously closed off roadway.

The opening up of such connections, over suitable existing roads, would make it much easier to prevent the use of bicycles on dirt roads beyond current zones designated for this activity. It also precludes the use of steep roads, such as the one over Soapstone Hill. This activity should not disturb the water supply, wilderness character, or natural or historic sites within those parts of the watershed.

I may submit other comments at a future date, but thought you might want these as soon as possible.

Sincerely,

J. R. Greene

Appendix C - Public Input



April 18, 1996

William Pula, Superintendent
Metropolitan District Commission
Quabbin Section
485 Ware Road
Belchertown, MA 01007

RE: 1996 Public Access & Recreation Policy and Plan

Dear Mr. Pula,

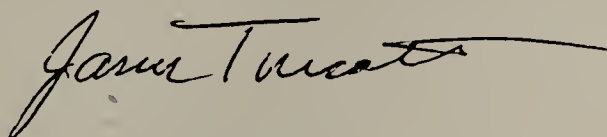
Joe Babineau, Trout Unlimited's representative to the Quabbin Watershed Advisory Committee, informed the Pioneer Valley Chapter about the possibility of the Metropolitan District Commission, Quabbin Section allowing canoeing and boating in the Swift River below Winsor Dam.

The Pioneer Valley Chapter of Trout Unlimited is opposed to canoeing or boating in the area below Winsor Dam to the Route 9 bridge. We would support the prohibiting of such an activity in the 1996 Public Access & Recreation Policy and Plan.

Allowing canoeing or boating of any kind in that section of the Swift River would create a conflict with the existing use of the river as a "Flyfishing Only, Catch and Release Area."

Please keep us informed about the planning process and any decisions the Metropolitan District Commission is making regarding the uses of the Swift River from Winsor Dam to the Route 9 bridge.

Respectfully,



James Turcotte
President

Pioneer Valley Chapter/Trout Unlimited

Appendix C - Public Input



WATER SUPPLY CITIZENS ADVISORY COMMITTEE

to the Mass. Water Resources Authority

138 Russell St. (Rte. 9)
P.O. Box 478
Hadley, Massachusetts 01035
(413) 586-8861
FAX: (413) 585-9257

July 15, 1996

David B. Balfour, Jr.
Commissioner, MDC
20 Somerset St.
Boston, MA. 02108

and

William E. Pula, Superintendent
Div. of Watershed Mgt., Quabbin Section
485 Ware Road
Belchertown MA. 01007

Dear Commissioner Balfour and Superintendent Pula:

WSCAC appreciates the opportunity to comment upon the proposed changes in your Master Policy Statement for Public Access and Recreational Activities on the Quabbin Watershed System. Our committee approved the 1987 policy statement, and we agree that it is now appropriate to fine tune that statement, without changing its intent. Under the existing and predictably increasing pressures for various kinds and amounts of recreational use, it is important that government agencies and the public alike be reminded of the special and particular values for which this public land is held.

The Committee appreciates the efforts of MDC staff in opening up this whole area to public comment. The workshop on specific access issues was most helpful. The questions raised there reinforced the need for fine tuning the overall policy.

The new first sentence of the policy emphasizes the public health concerns of MDC. Additions to the third sentence emphasize that regulations must relate to increased intensity of use as well as to uses not now allowed at all. This is of great importance, since it is clear that intensity of use may have just as large implications as introduction of new uses. Examples could include expanding the areas open to bicycles, raising allowable motorboat horsepower or allowing rock climbing. None of these uses would be explicitly new; all would have implications for management.

In general, we support the view that MDC's property within the reservation should not be seen as a recreational area. Expansion of existing uses, such as fishing and hiking, is going to happen anyway, as population in the area increases. MDC should not therefore increase use artificially by expanding existing uses, such as bicycling, now limited to paved roads, or night access without requiring a permit. Use outside the watershed, such as nonmotorized boats in ponds not connected with the reservoir, can legitimately be allowed, so long as new roads are not created. Trash is already a problem in some areas easily reached by road.

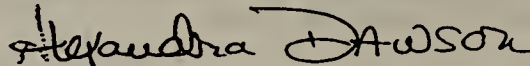
MDC cannot avoid the responsibility of cleaning up these lands, another good reason to discourage more intensive public use. However, we do think that the Mass. Highway Department should be approached to help bear the cleanup burden along the state highways. Horses and dogs must be excluded from the watershed, for health reasons, in spite of their popular appeal.

The definitions found in the 1987 policy were not discussed. Will they be omitted as unnecessary? It may be wise to restore them in the later text to be developed to explain the policy. In that case, the definition of "natural resources" needs some work; it is something of a grab bag. How, for example, is "size" a natural resource? Perhaps you mean, "unfragmented forest areas"? This is a valuable resource, becoming increasingly rare in our region. We would definitely like to see "edge areas" removed. While forest edge has some biological value, recent research indicates the negative impact of increasing forest edge on deep-forest species. Since there is plenty of edge outside the reservation, we would prefer to see emphasis placed on creation and maintenance of contiguous parcels of undisturbed forest.

If you come up with some language for this area of the policy, please let us know.

Thank you for your attention to these comments.

Sincerely yours for WSCAC,

A handwritten signature in dark ink, appearing to read "Alexandra Dawson". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Alexandra D. Dawson
Co-Executive Director

Appendix C - Public Input

Munn's Ferry Road
Gill, Mass. 01376
March 31, 1997

Mr. William Pula
Metropolitan District Commission
Belchertown - Massachusetts

Dear Mr. Pula,

We have been privileged to enjoy the Quabbin Reservoir since it opened to fishermen in the early 1950s.

The Quabbin is a treasure to be preserved by a respectful and caring people.

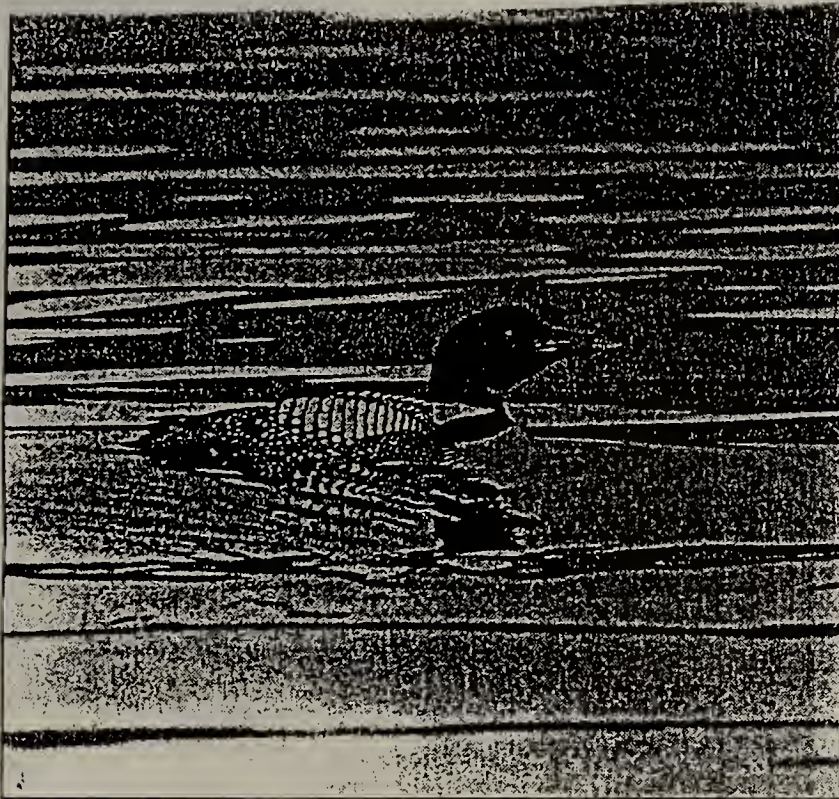
This column which appeared on the editorial page of the Greenfield Recorder says it all.

Please stand fast and keep the place for people who love it.

Very truly,

A handwritten signature in cursive script, reading "Paul T. Seamans". The signature is fluid and elegant, with a large initial 'P' and a long, sweeping underline.

Paul T. Seamans



Recorder/Paul Franz

A loon paddles about on the Quabbin Reservoir.

Leave the Quabbin Reservoir alone

By PAUL SEAMANS
Recorder Columnist

Money talks. It's hard to get a word in edgewise.

Think a moment. Money never spoke a song, never composed a poem.

Money is glib, finds expression so easily, is full of blandishments, is spell-binding.

Money is the root of all evil.

Now we are witnessing how money continues its effort to talk us into exploiting our western Massachusetts rurality by "expanding access to our natural resources" as an attraction to win the attention of affluent eastern-state residents.

What an unhappy plug. What an unfortunate pitch. How bleak loom the consequences if our social designers get away with this sort of scheming to win their coveted pots of gold.

In his book, "Quabbin — Accidental Wilderness," Thomas Conuel paints a picture of a place that is surely out of this world, so dramatically splendid and different, so unsullied, so untouched, that it is truly a paradise on this side of heaven.

For half a century Quabbin has resisted the insidious press to get it open to every recreational interest that would use it — and ultimately abuse it.

Under its present management that allows only the most modest recreational use, the Quabbin is a haven for as great a variety of life, plant and animal, as exists this side of wilderness Maine and Canada.

Loons rear their young there, wild turkeys assemble in flocks, deer are ordinary residents, moose not uncommon.

The Quabbin is our state's foremost nursery for the bald eagle, a bird abundant there, untroubled and unharried by the teeming human population outside its sanctuary. Increased access there will make a killing field of the place.

Humanity reads history poorly — if it reads history at all.

How ignorant those proponents of expanding access to the sanctuary Quabbin!

We have a history to read close at hand, right here in our valley — our river, the Connecticut, that has been opened up for the sake of "recreation" and the money it promises to bring in.

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Reading this and history we people in western Massachusetts are compelled to see the lesson in it.

Let us support the administrators of the Quabbin Reservoir as it is: a gift, priceless, to treasure.

If in their wise stewardship they recommend even tighter restrictions on recreational use of the place, let us support them.

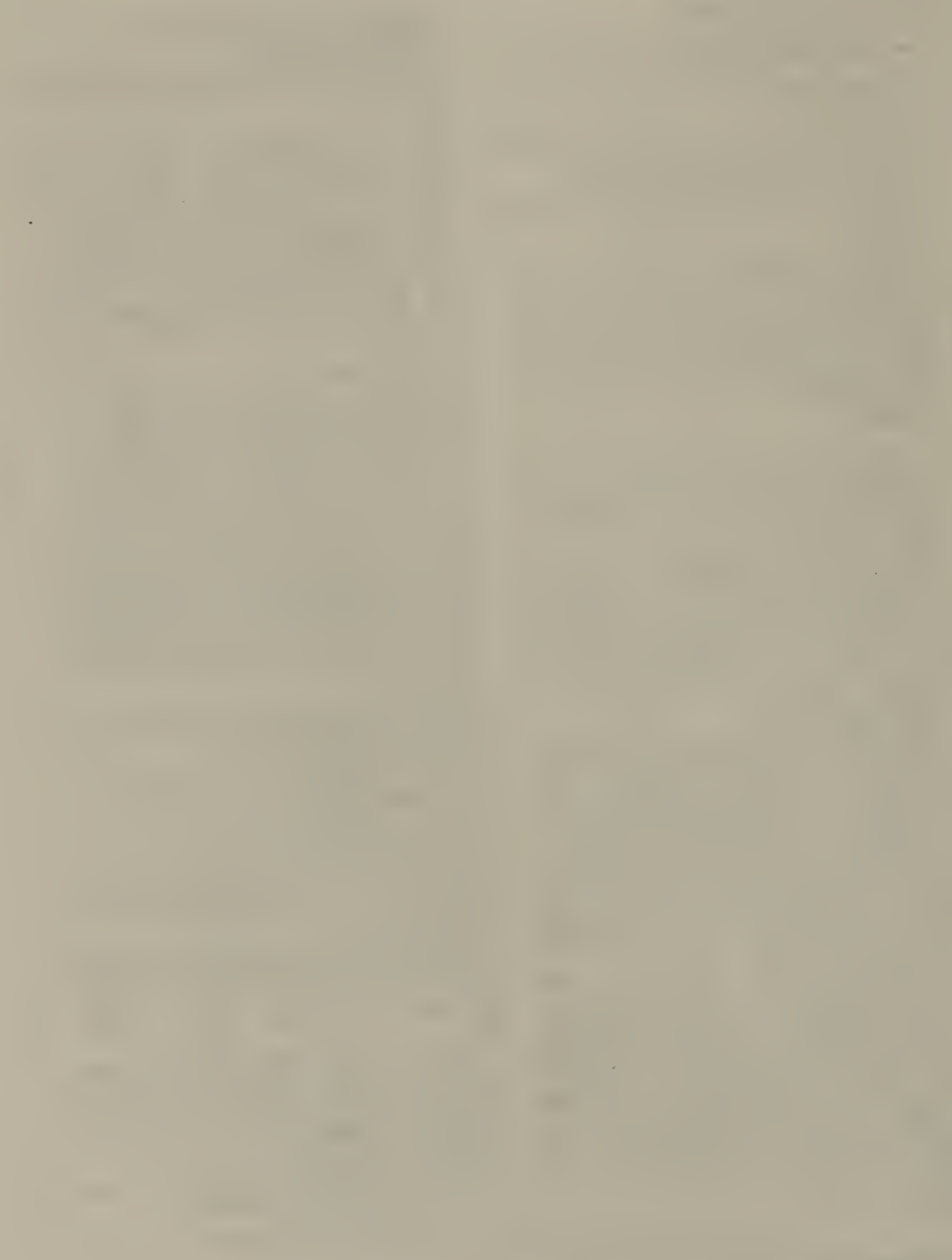
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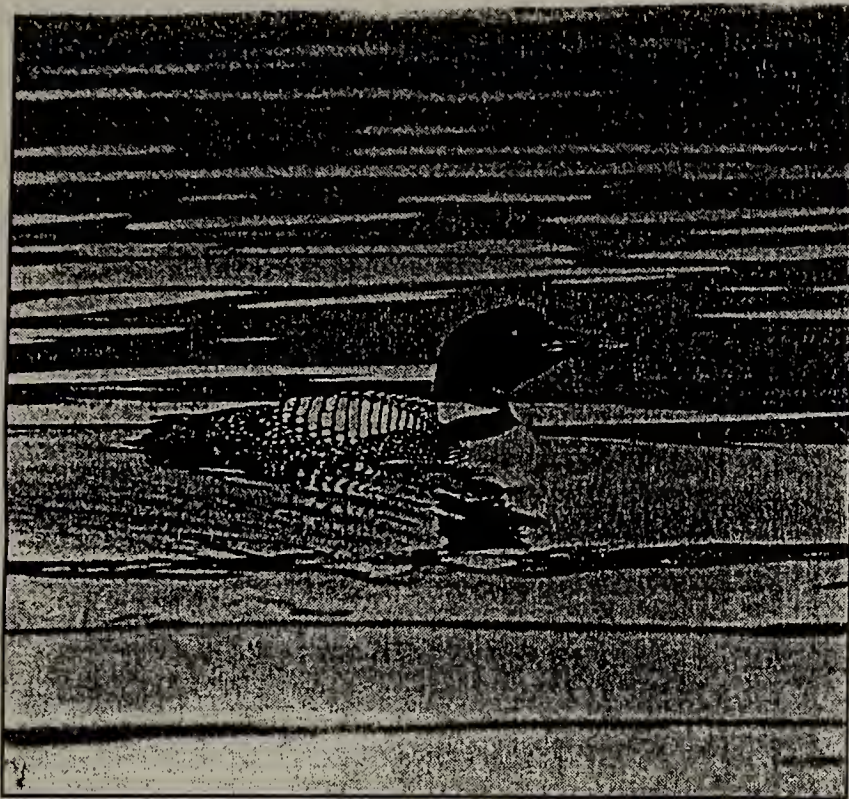
As for money drawn from eastern sources, we should rather be broke in Franklin County than see our woods and streams despoiled by a crush out of Belmont and Boston.

Leave the Quabbin alone. Keep it out of the money-making equation.



Figure 1: A line graph showing the relationship between two variables. The x-axis is labeled 'Time' and the y-axis is labeled 'Rate'. The graph shows a curve that starts at the origin and increases at an increasing rate, reaching a peak and then decreasing.





Recorder/Paul Franz

A loon paddles about on the Quabbin Reservoir.

Leave the Quabbin Reservoir alone

By PAUL SEAMANS
Recorder Columnist

Money talks. It's hard to get a word in edgewise.

Think a moment. Money never spoke a song, never composed a poem.

Money is glib, finds expression so easily, is full of blandishments, is spell-binding.

Money is the root of all evil.

Now we are witnessing how money continues its effort to talk us into exploiting our western Massachusetts rurality by "expanding access to our natural resources" as an attraction to win the attention of affluent eastern-state residents.

What an unhappy plug. What an unfortunate pitch. How bleak loom the consequences if our social designers get away with this sort of scheming to win their coveted pots of gold.

In his book, "Quabbin — Accidental Wilderness," Thomas Conuel paints a picture of a place that is surely out of this world, so dramatically splendid and different, so unsullied, so untouched, that it is truly a paradise on this side of heaven.

For half a century Quabbin has resisted the insidious press to get it open to every recreational interest that would use it — and ultimately abuse it.

Under its present management that allows only the most modest recreational use, the Quabbin is a haven for as great a variety of life, plant and animal, as exists this side of wilderness Maine and Canada.

Loons rear their young there, wild turkeys assemble in flocks, deer are ordinary residents, moose not uncommon.

The Quabbin is our state's foremost nursery for the bald eagle, a bird abundant there, untroubled and unharried by the teeming human population outside its sanctuary. Increased access there will make a killing field of the place.

Humanity reads history poorly — if it reads history at all.

How ignorant those proponents of expanding access to the sanctuary Quabbin!

We have a history to read close at hand, right here in our valley — our river, the Connecticut, that has been opened up for the sake of "recreation" and the money it promises to bring in.

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**APPENDIX D - EVALUATION OF THE "1988 RECREATION AND PUBLIC
ACCESS POLICY AND PLAN, QUABBIN AND WARE RIVER
WATERSHED"**

- D(1) 1987 DWM Master Policy Statement - Quabbin and Ware River Watersheds**
- D(2) Self-evaluation of the 1988 Plan**
- D(3) Regulatory Comparison Table 1988 vs. 1996**
- D(4) Plan Comparison 1988 vs. 1998**

Appendix D - Evaluation of the 1988 Plan

1987 DWM Master Policy Statement

B. Master Policy Statement

On June 11, 1987, five members of the Quabbin Watershed Advisory Committee and four Division of Watershed Management staff met for the entire day to draft a "master statement" which would integrate the legislative mandates (1986 U.S. Safe Drinking Water Act Amendments; Chapter 372, Acts of 1984, Section 105; Chapter 737, Acts of 1972; General laws, Chapter 92, Section 10-19; Chapter 300, Acts of 1947; 310 CMR 23:00) into a concise policy statement. Several full advisory committee meetings have included discussion of the need for such a statement to guide this policy document. The following "master statement" was written from input from the above joint meeting and is one which the Division fully supports:

Introduction

The Quabbin and Ware River Watersheds are the source of public water supply for nearly two and one half million residents of Massachusetts. The watersheds are largely under the control of the Metropolitan District Commission (MDC), Division of Watershed Management. In addition to its value as a water supply, the Quabbin District is unique for its apparent wilderness character and its natural and historic resource values. The Quabbin District is mandated to be actively managed as a water supply watershed. In addition, unlike most water supply watersheds in Massachusetts, the Quabbin Reservoir has historically been open to the public for a limited range of recreational activities.

The Quabbin Reservoir is managed by the Metropolitan District Commission, Division of Watershed Management, in accordance with the Statutory requirements of Chapter 737 of the Acts of 1972 and Chapter 372 of the Acts of 1984. Among the requirements of these statutes are the conservation of a wilderness character; the maintenance of a natural ecological balance including wildlife habitat, flora/fauna, and other natural resources; and the provision for appropriate recreational activities, while actively managing for water supply. The Metropolitan District Commission is required to prepare Watershed Management plans at least every five years, in which the mechanisms of meeting the statutory requirements are specified. The following policy specifically addresses the recreation and public access portion of the above plan.

Policy

Recreation and public access at the Quabbin and Ware River Watersheds shall be consistent with Chapter 737 of the Acts of 1972 and Chapter 372 of Acts of 1984. Except for those activities specifically authorized by statute or existing MDC regulations, new recreation and public access activities may be permitted only when they do not conflict with ongoing Watershed Management activities and authorized research, and do not degrade the following:

- water supply
- apparent wilderness character
- natural resources
- historic and prehistoric sites

For the purposes of this policy:

Appendix D - Evaluation of the 1988 Plan

Water supply is defined as water of a quality not requiring treatment beyond disinfection and of sufficient quantity for future generations.

Apparent wilderness character shall be defined as a composite of quiet, solitude, large size, undeveloped conditions, apparent ecological diversity and balance, and aesthetics.

Natural resources shall be defined as including: size, habitat diversity, flora, fauna, geology and soils, wetlands, undisturbed streams, the reservoir proper, islands, rare species and edge areas.

Existing activities, whether authorized by statute or regulations, will be evaluated to determine if they conflict with the above values of water supply, apparent wilderness character, natural resources and historic and prehistoric sites. If conflicts are identified, appropriate efforts to minimize negative impacts will be made.

Appendix D - Evaluation of the 1988 Plan

Self-evaluation of 1988 Quabbin Public Access Plan

The following is a brief evaluation of MDC's success in implementing the policy and programs recommended in the 1988 Public Access Plan. Additional comments on the implementation of 1988 recommendations are also included above in the discussions of specific recreational activities.

Recommendations Which Were Partially or Fully Implemented

- ✓ A permit program for night access was implemented. An average of one hundred and fifty persons have received permits each year. MDC needs to improve the surveillance and enforcement of this program to improve compliance by the public (especially the provision for permit users to call the State police before entering Quabbin). Shoreline impacts (campfire rings, poor sanitation, etc.) have been reduced. Installation of five portable bathrooms at heavily used shoreline sites (not recommended in the 1988 plan) has helped to improve sanitation.
- ✓ A barway was installed at the Baffle Dam adjacent to Shaft 12 road and this area is closed from November 15 to June 15. MDC needs to place gate and signs at the beginning of the Baffle Dam and gate and sign at the north end of the Baffle Dam by Mt. Zion.
- ✓ Sixteen new steel gates were installed in the Off-Reservation lands (i.e. North Quabbin Reservation) to reduce vehicular access to fourteen (14) miles of woods roads, especially on newly acquired lands and recently abandoned roads, and reports of dumping have declined.
- ✓ The first phase of a hydrodynamic study of the reservoir was completed by the University of Massachusetts. The second phase is now underway. The study will help determine the impact of on-reservoir activities including recreation on water entering the Chicopee Valley Aqueduct. Refining this type of research to determine a carrying capacity of boats for the reservoir, as recommended in the 1988 plan, was determined to be infeasible.
- ✓ The Division improved its communication with local towns by holding an annual open house.
- ✓ A permit program for historic, bird, and educational groups to gain limited vehicular access beyond gates was successfully implemented.
- ✓ The research access program as described in the plan was fully implemented.
- ✓ Orienteering events were allowed by permit only.
- ✓ MDC increased compliance with the regulation requiring permits for groups greater than 25.
- ✓ A ski and bicycle trail map for Off-Reservation (i.e. North Quabbin Reservation) was completed and is available at the Visitor Center.
- ✓ Several alternative sites for a Visitor Center were studied and it was decided to keep the center at the Administration Building so that coordination between Visitor Center staff and other MDC staff and Police would be facilitated.
- ✓ Signage improvements were made at gates, fishing areas, and in Quabbin Park. MDC is currently developing new guidelines to improve the quality of the Division's signage.
- ✓ Several presentations by Quabbin researchers were held to better inform the public regarding the value of their projects.

Appendix D - Evaluation of the 1988 Plan

✓ Signage was installed restricting bicycles to the areas specified in the 1988 plan. However, additional enforcement is needed.

✓ Parking and safety improvements were completed for several gate pull-offs. Expansions to the pull-offs at gates 10 and 40 were not completed. Several highway parking pull-offs where dumping has occurred were closed.

✓ Although MDC did not conduct extensive visitor surveys to follow the 1987 University of Massachusetts survey, a survey of users of new portable bathrooms was completed and yielded very important information.

✓ The following prohibitions and clarifications were added to MDC regulations (350 CMR 11.09) after public hearings in 1993:

- Fishing derbies are prohibited.
- Fires are prohibited.
- Fishing access for those under 16 years is more clearly stated.
- Fishing privileges are revoked for not less than one year if any MDC regulations are violated.
- The requirement of a hunting permit for North Quabbin Reservation and Ware River lands is removed.
- Recreational vehicles are prohibited.
- Metal detectors are prohibited.
- Target shooting is prohibited.
- Watershed lands maybe closed at the discretion of the Commission
- Historic artifacts and natural materials were added to the items covered.
- Removal of gravel, topsoil, stones, boulders or other earthen materials except for official MDC use.

Appendix D - Evaluation of the 1988 Plan

MDC Regulatory Comparison: 1988 vs. 1996

1. Introduction

The recently revised Watershed Protection Regulations (350 CMR 11.00 - Appendix B) make many references to activities included in the 1996 Public Access Summary (See Appendix C). These specifically referenced public access or recreation activities are organized by two categories:

1. Prohibited in the Quabbin Reservoir Watershed System:

- Off-Road Motorized Vehicles - recreational vehicles;
- Swimming in tributaries or surface waters;
- The possession of alcoholic beverages;
- Fires and Cooking;
- Dogs and horseback riding;
- Removal of historical artifacts (i.e. "Collecting");
- Use of metal detectors;
- Camping;
- Target shooting; and
- Advertisements and/or the placement of signs.

2. Prohibited with limited exceptions:

- Using snowmobiles, except in designated areas;
- Motorized vehicles, except in designated areas;
- Motor vehicle parking, except in designated areas;
- Bicycling, skiing, and other non-motorized transport, except in designated areas;
- Hunting or commercial trapping, except in designated areas;
- Reservoir shore fishing, except in designated areas during designated season;
- Tributary shore fishing, except during designated season;
- Wading in the reservoir, except when wearing boots for boat launching at designated boat launch areas;
- Using power boats, except in designated areas during designated season;
- Organized sports, except with a written permit;
- Night access, except with a written permit from the MDC;
- Public assemblies of 25 people or greater, except with a written permit; and
- Fishing derbies, except by written permit.

Appendix D - Evaluation of the 1988 Plan

2. Comparison between 1988 MDC Regulations and 1996 MDC Regulations

Division staff created the following comparison table, Table 1, which illustrates the differences between the 1988 MDC Regulations and 1996 MDC Regulations affecting the Quabbin Reservoir Watershed System..

Table 2. A Comparison between the 1988 and 1996 MDC Regulations¹

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Snowmobiles	NSA	NSA	S	NSA
Other vehicles	S	S	S	NSA
Bicycles	S	S	S	NSA
Horses	S	S	CMR	NSA
Sleds	S	NSA	NSA	NSA
Hiking	NSA	NSA	S	NSA
CC Skiing	S	NSA	S	NSA
Hunting/ Trapping	NSA	CMR	S	S
Ice Fishing	S	S ²	S	NSA
Ice Skating	NSA	NSA	NSA	NSA
Shore fishing - reservoir	NSA	S	--	NSA
Stream fishing	NSA	NSA	S	--
Cooking/ Fires ³	S	S	S	S
Boat fishing - reservoir	NSA	S	--	S
Fishing on ponds	NSA	NSA	S	--
Swimming/ Wading	CMR	CMR	S ⁴	S

¹ LEGEND:

- S = same in both 1988 plan and 1996 matrix
- (S) = policy can be implied to be the same from other wording, but is not specifically addressed in 1988 plan
- NA = not specifically addressed in 1988 plan, but is addressed in 1996 matrix
- CMR = changed from 1988 plan as per new CMR's
- NAM = not specifically addressed in 1996 matrix (but is addressed in 1988 plan)
- = not applicable

² North Spectacle Pond was also included along with South Spectacle and Bassett ponds in the 1988 Plan, but is not included in the current matrix because it is outside of the Watershed System.

³ Cooking is not specifically addressed in the 1988 plan because it was specifically addressed in the existing CMR.

⁴ Only swimming is addressed in 1988 plan. Wading is addressed in the existing CMRs.

Appendix D - Evaluation of the 1988 Plan

Activity	Quabbin Park	Quabbin Reservation	Off-Reservation	Quabbin Reservoir
Alcoholic beverages	S	S	S	S
Organized sports	CMR	CMR	NSA	--
Night access	S	S	S	S
Ceremonies	S	S	NSA	S
Domestic animals	S	S	CMR	S
Collecting ⁵	CMR	CMR	NSA	S
Metal detecting	S	S	NSA	S
Camping	NSA	(S) ⁶	S	--
Fishing derbies	NSA	S	NSA	S
Target shooting	NSA	S	S	--
Signs/Advertising	CMR	NSA	NSA	--
Trail marking	NSA	NSA	NSA	--
Parking	NAM	NAM	NAM	--
Hours of access	CMR	CMR	CMR	NSA

LEGEND:

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- NSA = not specifically addressed in 1988 plan, but is addressed in 1996 Summary
- CMR = changed from 1988 plan as per new Code of Massachusetts Regulations's
- NAM = not specifically addressed in 1996 Summary (but is addressed in 1988 plan)
- = not applicable

⁵ Collecting is not specifically addressed in 1988 plan because it was specifically addressed in the existing CMRs.

⁶ Camping on the reservation is not specifically addressed in 1988 plan because it was specifically prohibited by Ch737.

Appendix D - Evaluation of the 1988 Plan

Comparison of 1988 and 1998 Plans

The four areas covered by 1998 Plan:

- * Quabbin Park
- * Quabbin Reservation (per Ch 737, as of 1972 - inside highways)
- * Off-Reservation (per Ch 737, as of 1972 - outside highways)
- * Quabbin Reservoir

Activities with Unchanged Policy:

- ◆hiking, nature study, and snowshoeing are allowed in non-restricted areas,
- ◆The following are prohibited on MDC land and water: swimming, off-road vehicles, dogs, artifact collecting and use of metal detectors, camping, fishing, derbies, and target shooting.
- ◆shore, stream, and boat fishing are allowed in designated areas,
- ◆Snowmobiles are allowed on Off-Reservation areas
- ◆Cross country skiing is prohibited in Reservation, Park, and on Reservoir ice; allowed in Off-Reservation

Areas with New Policy:

- ◆In 1988 restricted areas where public access was not allowed included Prescott Peninsula (gates 17-21), Administrative Area (gates 1-3A), Reservoir Islands, and Mt. Zion Island; the new plan still includes these areas but adds an area around the Chicopee Valley Aqueduct including the reservoir shoreline for approximately 1.5 miles on both sides of the CVA intake on the west side of Winsor Dam.
- ◆In 1988, bicycling in Quabbin Reservation was allowed only on paved roads at gates 29, 35, 40, 43, and 44; in 1997 policy it is allowed on "designated roads" at these gates which adds extra mileage (to shore at North Dana off gate 40 and along shore at gate 35).
- ◆In 1988 horseback riding was not prohibited in the Off-Reservation; in 1997 it is prohibited there, due to specific guidance from EPA and regulation changes in 1994.

Comparison of 1988 and 1998 Plans (continued)

- ◆ In 1988 hunting was prohibited in Reservation and is now allowed by 1991 regulation by permit and under MDC supervision only.
- ◆ Ice skating was not mentioned in 1988; it is now prohibited on reservoir and allowed on designated ponds only.
- ◆ Wading was not addressed in 1988; it is now prohibited in reservoir (except for wading with boots for boat launching) and with boots in tributaries in unrestricted areas.
- ◆ In 1988 night access was limited to gates 16, 31, 33, 35, 41, and 43 by permit and only from April-October; in 1998 these areas are still open by permit, but access to Pepper's Mill Pond and Swift River below Winsor dam is allowed from Route 9 only without a permit.

APPENDIX E - 1995 MDC RECREATION SURVEY OF WATER SUPPLY SYSTEMS

Appendix E - 1995 MDC Recreation Survey of Water Supply Systems

MDC Questionnaire on Recreation Management - 1995 -

The MDC conducted a survey of other water supply systems that were unfiltered, or had only recently been required to be filtered, and similar in size to the MDC/MWRA system. The purpose of this survey was to determine the variability of recreational-use policies among public water suppliers. Information from this survey was used by the Division to determine how strict or lenient MDC policy is when compared to other water suppliers of a similar size. This issue was of particular importance to several user groups who felt that the MDC may be too rigorous in the pursuit of "adequate protection" for drinking water supplies. Survey data indicate that MDC policy for recreational use is more lenient than many of the unfiltered systems and considerably more strict than some of the filtered systems. Information from this survey also identified control measures which are most commonly used by the water supply industry to mitigate recreational impacts.

Survey Questions:

- 1) Is water supply system filtered or unfiltered?
- 2) Is recreation allowed on source water?
- 3) Is recreation allowed on watershed lands owned by water supplier?
(What percentage of land within the watershed does this comprise?)
- 4) Is recreation allowed on other watershed lands not owned by water supplier?
(What percentage of land within the watershed does this comprise?)
- 5) Does an active land acquisition program currently exist for watershed protection of your system?
- 6) Which recreational activities are allowed on water supply lands?
 - A) swimming or wading
 - B) motorized boats
 - C) non-motorized boats
 - D) canoeing
 - E) sailing
 - F) all-terrain vehicle
 - G) off-road vehicles
 - H) snowmobiles
 - I) downhill skiing
 - J) cross-country skiing
 - K) camping
 - L) hunting
 - M) trapping
 - N) horseback-riding
 - O) dog walking
 - P) fishing
 - Q) ice fishing
 - R) mountain-biking

(recreation activities allowed on water supply lands)

- | | |
|-------------------------|----------------------------|
| S) bicycling | W) picnicking (no cooking) |
| T) golfing | Y) fires |
| U) hiking | Z) field sports |
| V) picnicking (cooking) | ZZ) organized tours |

7) Do unauthorized recreation activities occur? *Please specify.*

8) Is trespassing a problem?

9) Which impacts occur from recreational use?

- A) shoreline/tributary erosion
- B) increased amount of paved areas (parking, facilities)
- C) stormwater runoff related to vehicle parking
- D) soil compaction/trail erosion
- E) destruction of vegetation
- F) litter/trash
- G) fuel spills or hazardous materials (motorized vehicles)
- H) debris or hazardous materials dumping
- I) vandalism (land, bldgs., facilities, equipment)
- J) fire

10) Which contaminants are the greatest concern from recreational use?

- A) pathogens (bacteria, viruses, parasites)
- B) nutrients
- C) sediment
- D) fuel/hazardous materials

11) Are any water quality data available which attributes the presence of these contaminants to recreation?

12) What type of access controls are used for recreation?

- A) maintain a protection zone at reservoir inlet (*please specify size of buffer and activities allowed, if any*)
- B) written permit required for access
- C) physical barriers (fencing, gates, etc.)
- D) restrictions on time of use
- E) restricted areas of use
- F) prohibition of certain activities

Appendix E - 1995 MDC Recreation Survey of Water Supply Systems

Questionnaire Responses from Eighteen Water Suppliers:

- 1) 44% (8) of the water supply systems are *UNFILTERED* and
55% (10) of the systems are *FILTERED*.

Unfiltered Systems:

- 1) Boston, MA
- 2) Worcester, MA
- 3) Portland, ME
- 4) NYC, NY
- 5) Greenville, SC
- 6) Seattle, WA
- 7) Tacoma, WA
- 8) Portland, OR

Filtered Systems:

- 1) Brockton, MA
- 2) Lowell, MA
- 3) New Bedford, MA
- 4) Springfield, MA
- 5) Pawtucket, RI
- 6) Providence, RI
- 7) Bridgeport, CT
- 8) New Haven, CT
- 9) Manchester, NH
- 10) Bethlehem, PN

- 2) The majority of systems prohibit recreational use of source water supplies:

64% (11) of the systems *prohibit* recreation on *source water*.

36% (7) of the systems *allow* recreation on *source water*.

- | | |
|----------------------------------|--------------------------------|
| ● 64% <i>PROHIBIT</i> recreation | ● 36 % <i>ALLOW</i> recreation |
| ● 5 - <i>unfiltered</i> | ● 3 - <i>unfiltered</i> |
| ● 6 - <i>filtered</i> | ● 4 - <i>filtered</i> |

- 3) Recreation policy for use of water supply lands (owned by supplier) is divided equally among all 18 systems. More unfiltered systems allow recreational use of their lands (63%) than do the filtered systems (40%):

50% (9) of the systems interviewed *prohibit* recreation on their watershed lands.

50% (9) of the systems *allow* recreation on their watershed lands.

- | | |
|----------------------------------|-------------------------------|
| ● 50% <i>PROHIBIT</i> recreation | ● 50% <i>ALLOW</i> recreation |
| ● 5 - <i>unfiltered</i> | ● 3 = <i>filtered</i> |
| ● 4 - <i>filtered</i> | ● 6 = <i>filtered</i> |

Appendix E - 1995 MDC Recreation Survey of Water Supply Systems

QUESTIONNAIRE RESPONSES

- 4) 17% of the systems interviewed reported that *recreation is prohibited within the watershed* on lands that are not owned by water supplier.

- 1 - *filtered*
- 2 - *unfiltered*

83% of the systems reported that *recreation is allowed within the watershed* on lands that are not owned by water supplier.

- 9 - *filtered*
- 6 - *unfiltered*

- 5) 28% of the water systems interviewed have a land acquisition program.

- 3 - *filtered*
- 2 - *unfiltered*

- 6) All eighteen water supply systems (100%) that were interviewed have active enforcement programs to ensure compliance with rules and regulations for recreational use of water supply resources. At least eight systems (44%) provide two types of enforcement for their property, whereby police patrols or private security forces are augmented with either water supply inspectors or rangers to enforce rules and regulations.

Police patrols are used most often with 78% (14) of the water suppliers using state and local police patrols for watershed enforcement. Approximately 30% (6) of the water suppliers use ranger patrols, and 30% (6) use water supply inspectors for enforcement.

- 7) All but one (94%) of the water systems use access controls for recreation management. Most water suppliers use a combination of control measures to provide protection. The most commonly used access controls are listed below with the amount of use denoted for each control measure.

- 72% use physical barriers (fencing, gates, etc.) to prevent access (13)
- 55% maintain a protection zone at intake structures (10)
- 30% require a written permit for access to water supply lands (6)
- 30% restrict the time of use for all activities (6)

Appendix E - 1995 MDC Recreation Survey of Water Supply Systems

QUESTIONNAIRE RESPONSES

8) Only 50% of the water supply systems interviewed allow recreational use of their land (3 unfiltered/6 filtered). A list of authorized recreation activities at these systems is shown below and the actual number of systems permitting each activity shown in parenthesis.

44% allow organized tours (8)

39% of the systems allow shore fishing (7)

39% allow hiking (7)

33% allow boating (6)

22% allow hunting (4)

22% allow bicycling (4)

22% allow cross-country skiing (4)

22% allow picnicking (no cooking) (3)

17% allow field sports (3)

17% allow swimming (3)

17% allow snowmobiles (3)

11% allow horseback-riding (2)

11% allow camping ("primitive" accommodations) (2)

11% allow dogs (2)

11% allow ice fishing (2)

5% allows all-terrain vehicles (1)

5% allow trapping (1)

9) The majority of water suppliers prohibit all direct contact with source water. 78% of the systems (14) prohibit swimming, 67% (12) prohibit boating, and 94% (17) prohibit ice-fishing.

- *swimming prohibited at 7 unfiltered systems and at 7 filtered systems*
- *boating prohibited at 6 unfiltered systems and at 4 filtered systems*
- *ice-fishing prohibited at 7 unfiltered systems and at all filtered systems*

QUESTIONNAIRE RESPONSES

10) Unauthorized recreational use was reported at 94% of the water supply systems interviewed. However, only 83% (15) of the water suppliers felt that trespassing was a management problem. Trespass activity tends to be seasonal with different activities occurring in each season. A list of unauthorized activities (trespassing) is shown below:

Trespass activities (14 total):

- *ATV* use occurs at 50% of the water systems (9)
- *fishing* occurs at 44% of the water systems (8)
- *hiking* occurs at 44% of the water systems (8)
- *horseback riding* occurs at 33% of the water systems (6)
- *swimming* occurs at 33% of the water systems (6)
- *hunting* occurs at 22% of the water systems (4)
- *dogs* are a problem at 22% of the water systems (4)
- *biking* occurs at 22% of the water systems (4)
- *cross-country skiing* occurs at 22% of the water systems (4)
- *snowmobiling* occurs at 17% of the water systems (3)
- *ice-fishing* occurs at 11% of the systems (1)
- *boating* occurs at 11% of the systems (1)
- *camping* occurs at 5% of the water systems (1)
- *picnicking* occurs at 5% of the water systems (1)

11) Although educational programs varied considerably among suppliers, the most popular venues were organized tours and school programs targeted at elementary grades. Most of the water suppliers (83%) provide educational programs to increase public awareness of watershed protection and to inform local officials (public health, water board, selectmen, etc.).

- 7 - *unfiltered*
- 8 - *filtered*

Appendix E - 1995 MDC Recreation Survey of Water Supply Systems

QUESTIONNAIRE RESPONSES

12) Recreational impacts were reported from 84% (15) of the systems interviewed. These impacts are listed below and the percentage of water suppliers that reported each impact is also shown.

72% - litter and trash (13)

72% - vandalism to land, facilities and equipment (13)

55% - destruction of vegetation (10)

55% - soil compaction and trail erosion (10)

55% - fire (10)

44% - shoreline/tributary erosion (8)

39% - dumping of hazardous materials or construction debris (7)

28% - sanitation (5)

22% - fuel or chemical spills from vehicles (4)

22% - increased stormwater runoff from parking areas (4)

22% - increased amount of paved areas from parking (4)

13) Contaminants that occur from recreational use are listed below. The percentage of water suppliers that noted their concern for a specific contaminant is also shown.

75% - pathogens from bacteria, viruses, and parasites (13)

39% - fuel/hazardous materials (7)

33% - sediment (6)

33% - nutrients (6)

14) Water quality data was generally not available from most water suppliers to document which contaminants resulted from recreational use. However, data from four water suppliers (25%) documented increased levels of bacteria and turbidity from trail runoff at heavily used sites.

QUESTIONNAIRE RESPONSES

15) 19% of the water suppliers interviewed do not allocate any funding for recreational management because it is prohibited or because there is very little land to protect.

56% of the water suppliers reported low costs for recreation management programs
19% of the suppliers reported moderate costs for recreation management.

Only one supplier (6%) reported relatively high costs for their recreation programs and stated that these costs were offset by revenues generated from fishing permits and boat rentals which are managed by the supplier.

APPENDIX F - ALTERNATIVE RECREATION AREA CONTACTS

Appendix F - Alternative Recreation Area Contacts

C O N N E C T I C U T R I V E R V A L L E Y	
Brimfield State Forest (Dean Pond), Dearth Hill Rd., Brimfield, 3,250 acres (For info call Wells S.P.)	
Chicopee Memorial State Park, Burnell Rd., Chicopee Falls, (413) 594-9416, 574 acres	
Dunn Pond State Park, Rte. 101, Gardner, (508) 632-7897, 115 acres	
Ellwell State Park, Dannon Rd., Northampton, 1 acre (For info call Mt. Tom S.R.)	
Erving State Forest, Rte. 2A, Erving, (508) 544-3939, 32 campsites, 4,479 acres	
Federated Women's Club State Forest, Rte. 122, Petersham, 6 wilderness campsites, 1,035 acres (For info call Otter River S.F.)	
Gardner Heritage State Park, Lake St., Gardner, (508) 630-1497, 115 acres	
Hampton Ponds State Park, Rte. 202, Westfield, (413) 532-3985, 42 acres	
Holyoke Heritage State Park, Appleton St., Holyoke, (413) 534-1723, 8.5 acres	
Holyoke Range State Park, Rte. 116, Amherst, 2,936 acres (For info call Skinner S.P.)	
Lake Dennison Recreation Area, Rte. 202, Winchendon, 151 campsites, 4,221 acres (For info call Otter River S.F.)	
Lake Lorraine State Park, 44 Lake Drive, Springfield, 2 acres (For info call Chicopee Memorial S.P.)	
Mt. Grace State Forest, Winchester Rd., Warwick, 1,689 acres (For info call Erving S.F.)	
Mt. Sugarloaf State Reservation, Rte. 5, South Deerfield, 532 acres, (413) 545-5993	
Mt. Tom State Reservation, Reservation Rd., Holyoke, (413) 527-4805, 1,800 acres	
Norwottuck Rail Trail, Dannon Rd., Northampton, 8.5 miles (For info call Skinner S.P.)	
Otter River State Forest, New Winchendon Rd., Baldwinville, (508) 939-8962, 100 campsites, 12,788 acres	
Robinson State Park, North St., Agawam, (413) 786-2877, 811 acres	
Skinner State Park, Rte. 47, Hadley, (413) 586-0350, 390 acres	
Streeter Point Recreation Area, Rte. 20, Sturbridge, 10 acres (For info call Wells S.P.)	
Wells State Park, Rte. 49, Sturbridge, (508) 347-9257, 60 campsites, 1,470 acres	
Wendell State Forest, Montague Rd., Wendell, (413) 659-3797, 7,900 acres	

Connecticut River Valley

Hrimfield State Forest (Dean Pond): Mass Pike to exit 8, Rte. 32 south to Rte. 20 east, right on Monson Rd. Follow signs.

Chicopee Memorial State Park: Mass. Pike to exit 6. Bear right. Park is 1/4 mile on left.

Dunn Pond State Park: Rte. 2 take exit 24 (Rte. 140 north), left at second light onto Rte. 101 south. Park will be on left.

Elwell State Park: Mass Pike to exit 4, Rte. 91 north, to exit 19--second Northampton exit, through lights, park on the right.

Erving State Forest: Rte. 2 to Erving Center. Take left before fire station. Follow signs.

Federated Women's Club State Forest: Rte. 202 to Rte. 122. Follow signs.

Gardner Heritage State Park: Rte. 2 take exit 23 to Gardner. Follow signs.

Hampton Ponds State Park: Mass Pike to exit 3, Rte. 10/202 north, at traffic light follow Rte. 202. Park 2 miles on left.

Holyoke Heritage State Park: Mass Pike to exit 4, Rte. 91 north to Rte. 202 north (exit 16), right at 7th traffic light.

Holyoke Range State Park: Mass Pike to exit 4, Rte. 91 north to second Northampton exit, Rte. 9 east to Rte. 47 south to Bay Rd. to Rte. 116 south.

Lake Dennison Recreation Area: Rte. 2 west to exit 20, right onto Baldwinville Rd., right on Rte. 202 north. Follow signs, 2 miles beyond Otter River State Forest.

Lake Lorraine: Mass Pike to exit 6, Rte. 291 south to Rte. 20 east, take right onto Berkshire Ave., left onto Michigan St. Follow signs.

Mt. Grace State Forest: Rte. 2 east to Rte. 2A east, Rte. 78 north to Warwick. Look for park entrance on left.

Mt. Sugarloaf State Reservation: Mass Pike to exit 4, Rte. 91 north to exit 24, Rte. 116 east. One mile on left.

Mt. Tom State Reservation: Mass Pike to exit 4, Rte. 91 north to exit 17A, Rte. 5 north for 4 miles. Park will be on left.

Norwottuck Rail Trail: Follow directions to Elwell State Park. Call Skinner State Park for directions to other entrances.

Otter River State Forest: Rte. 2 west to exit 20, right onto Baldwinville Rd., right onto 202 left. Follow signs.

Robinson State Park: Mass Pike to exit 4, Rte. 91 south, Rte. 57 west, Rte. 182 north, to North St. Follow signs.

Skinner State Park: Mass Pike to exit 4, Rte. 91 north to second Northampton exit, Rte. 9 east, Rte. 47 south. Park will be on left.

Streeter Point Recreation Area: Mass Pike west to exit 9, Rte. 20 west. Follow signs.

Wells State Park: Mass Pike west to exit 9, Rte. 20 east. At junction with 49 follow signs.

Wendell State Forest: Rte. 2 east to Rte. 63 south through Miller Falls, Wendell Rd. over R.R. bridge, take Montague Rd. and follow signs.

APPENDIX G - LITERATURE REVIEW

Appendix G - Literature Review

Literature Review

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APPENDIX H - MDC ACCESS PERMIT REQUEST FORMS

- H(1) Request Form for An Assembly**
- H(2) Request Form for Group Access to Quabbin Park**
- H(3) Request Form For Vehicular Access**
- H(4) Request Form for Group Access (other than Quabbin Park)**
- H(5) Request Form for Short-term Access**

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Appendix H - MDC Access Permit Request Forms

**METROPOLITAN DISTRICT COMMISSION
DIVISION OF WATERSHED MANAGEMENT
QUABBIN SECTION
485 Ware Road; P. O. Box 628
Belchertown, MA 01007
413-323-7221**

REQUEST FORM FOR SHORT-TERM ACCESS

This permit is for all vehicle trips beyond Quabbin Reservoir Watershed System gates and walking trips to restricted areas. Display this permit in your windshield or carry it with you if this is not a vehicular trip.

VEHICULAR TRIP

☐

WALKING TRIP

☐

NAME _____ ADDRESS _____

CITY _____ STATE _____ ZIP _____ PHONE _____

Type of vehicle & License #. _____

Area of access (Gate #). _____

Trip itinerary (if former resident, give town). _____

Date & time of trip. _____ Key # _____

Purpose of trip. _____

**METROPOLITAN DISTRICT COMMISSION
DIVISION OF WATERSHED MANAGEMENT
QUABBIN SECTION
413-323-7221**

Short-term Access Permit

NAME _____

DATE _____ VEHICLE TYPE & LICENSE # _____

AREA OF ACCESS _____ KEY # _____

Superintendent of Quabbin Section, William Pula

DISPLAY THIS PERMIT IN YOUR WINDSHIELD OR CARRY WITH YOU IF NOT A VEHICULAR TRIP.

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Appendix H - MDC Access Permit Request Forms

**METROPOLITAN DISTRICT COMMISSION
DIVISION OF WATERSHED MANAGEMENT
QUABBIN SECTION**

485 Ware Road; P. O. Box 628
Belchertown, MA 01007
413-323-7221

REQUEST FORM FOR GROUP ACCESS TO QUABBIN PARK

Permits are required for organized groups of more than 25 anywhere in the Quabbin Reservoir Watershed System. Permit information for groups of more than 25 in Quabbin Park will help the MDC improve visitor services such as the Visitor Center and facilities in the Park.

All permits may be suspended due to high forest fire danger. Access to critical wildlife areas will be limited during certain time periods. Alcoholic beverages, fires, littering, swimming, and dogs are not allowed on the Quabbin Reservoir Watershed System. **GROUPS MUST COMPLY WITH ALL MDC RULES AND REGULATIONS WHILE USING THE PARK.** Group size may be limited.

The Division encourages groups to utilize Quabbin Park for as many of their Quabbin trips as possible. The best vistas and wildlife observation spots exist in the Park along with picnic and toilet facilities.

Requests for group access should be made in writing to the Visitor Center at least three weeks prior to the proposed access date. Please return this form to the address above.

Please complete all information legibly:

NAME _____ STREET _____

CITY _____ STATE _____ ZIP _____

PHONE _____ AFFILIATION (SCHOOL) _____

Date of access (include alternate date). _____

Time of arrival & departure. _____ How many in group. _____

Age range. _____ Purpose of trip. _____

Number & type of vehicles. _____

What facilities will you use? _____

Visitor Center, picnic areas, Quabbin Tower, trails, etc.

I agree to comply with all MDC Rules & Regulations. I acknowledge my permit and privileges for use of the Quabbin Reservoir Watershed System may be revoked for Rules & Regulations violations.

Signed _____

MDC USE ONLY

This permit is approved. _____ Restrictions: _____

This permit has been denied for the following reason(s): _____

MDC Signature: _____

Form 2: Request for a MDC Group Access Permit to Quabbin Park

Appendix H - MDC Access Permit Request Forms

**METROPOLITAN DISTRICT COMMISSION
DIVISION OF WATERSHED MANAGEMENT
QUABBIN SECTION
485 Ware Road; P. O. Box 628
Belchertown, MA 01007
413-323-7221**

REQUEST FORM FOR GROUP ACCESS (Other than Quabbin Park)

Permits are required for organized groups of more than 25 anywhere in the Quabbin Reservoir Watershed System. Permits are granted to incorporated, non-profit, and certain other groups or individuals conveying appropriate need for such.

All permits may be suspended due to high forest fire danger. Access to critical wildlife areas will be limited during certain time periods. Group size may be limited by the Superintendent.

Requests for group access should be made in writing and should be received by the Visitor Center at least three weeks prior to the proposed access date. Please return this form to the address above.

Please complete all information legibly:

NAME _____ STREET _____

CITY _____ STATE _____ ZIP _____

PHONE _____ AFFILIATION _____

Specify area of access (Gate #). _____

Specify itinerary (trip route). _____

Date of access (include alternate date). _____

Time of arrival & departure. _____

How many in group. _____ Number & type of vehicles. _____

Purpose of trip. _____

I agree to comply with all MDC Rules and Regulations. I acknowledge my permit and privileges for use of the Quabbin Reservoir Watershed System may be revoked for Rules and Regulations violations.

Signed _____

MDC USE ONLY

This permit is approved. _____ Restrictions: _____

This permit has been denied for the following reason(s): _____

MDC Signature: _____



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Appendix H - MDC Access Permit Request Forms

**METROPOLITAN DISTRICT COMMISSION
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QUABBIN SECTION
485 Ware Road; P. O. Box 628
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413-323-7221**

REQUEST FORM FOR VEHICULAR ACCESS

Permits are required for vehicular access beyond all gated areas in the Quabbin Reservation. Permits are granted to incorporated, non-profit, and certain other groups or individuals conveying appropriate need for such.

Vehicle numbers are limited to five cars and/or pickup trucks, or two multi-passenger vans, or one bus. Use of unpaved roads will be limited during those times of year when conditions make such roads unsuitable for travel. All permits may be suspended due to high forest fire danger. Access to critical wildlife areas will be limited during certain time periods. Group size may be limited by the Superintendent.

Requests for vehicular access should be made in writing and should be received by the Visitor Center at least three weeks prior to the proposed access date. Please return this form to the address above.

Please complete all information legibly:

NAME _____ STREET _____

CITY _____ STATE _____ ZIP _____

PHONE _____ AFFILIATION _____

Specify area of access (Gate #). _____

Specify itinerary (trip route). _____

Date of access (include alternate date). _____

Time of arrival & departure. _____

How many in group. _____ Number & type of vehicles. _____

Purpose of trip. _____

I agree to comply with all MDC Rules and Regulations. I acknowledge my permit and privileges for use of the Quabbin Reservoir Watershed System may be revoked for Rules and Regulations violations.

Signed _____

MDC USE ONLY

This permit is approved. _____ Restrictions: _____

This permit has been denied for the following reason(s): _____

MDC Signature: _____



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Appendix H - MDC Access Permit Request Forms

**METROPOLITAN DISTRICT COMMISSION
DIVISION OF WATERSHED MANAGEMENT
QUABBIN SECTION
485 WARE ROAD; P. O. BOX 628
BELCHERTOWN, MA 01007
413-323-7221**

REQUEST FORM FOR AN ASSEMBLY

Assemblies (Weddings, etc.) are allowed in the Quabbin Reservoir Watershed System provided the following criteria are met. Groups of 25 or less need only notify us at the above address of date, time and location. Groups of more than 25 need a permit which can be obtained at the Visitor Center. Groups of more than 100 must hire a State Police Trooper from the Quabbin Barracks. The charge is \$104.00 (subject to change). Payment must be made at least three weeks prior to the event to the Commonwealth of Massachusetts and sent to Paid Detail Officer; Massachusetts State Police; 612 Main Street; Holden, MA 01520.

No structures may be erected. No alcoholic beverages are allowed. Receptions must be held elsewhere.

Should your plans change, notification must be made to the State Police a minimum of 24 hours prior to the event to ensure a refund of your money. Telephone 413-323-7561.

Requests for an assembly should be made in writing and should be received by the Visitor Center at least three weeks prior to the event. Please return this form to the address above.

Please complete all information legibly:

NAME(S) _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

Date, time & type of assembly. _____

Location of assembly. _____

Number of participants. _____ Phone(s). _____

I agree to comply with all MDC Rules and Regulations. I acknowledge my permit and privileges for use of the Quabbin Reservoir Watershed System may be revoked for Rules and Regulations violations.

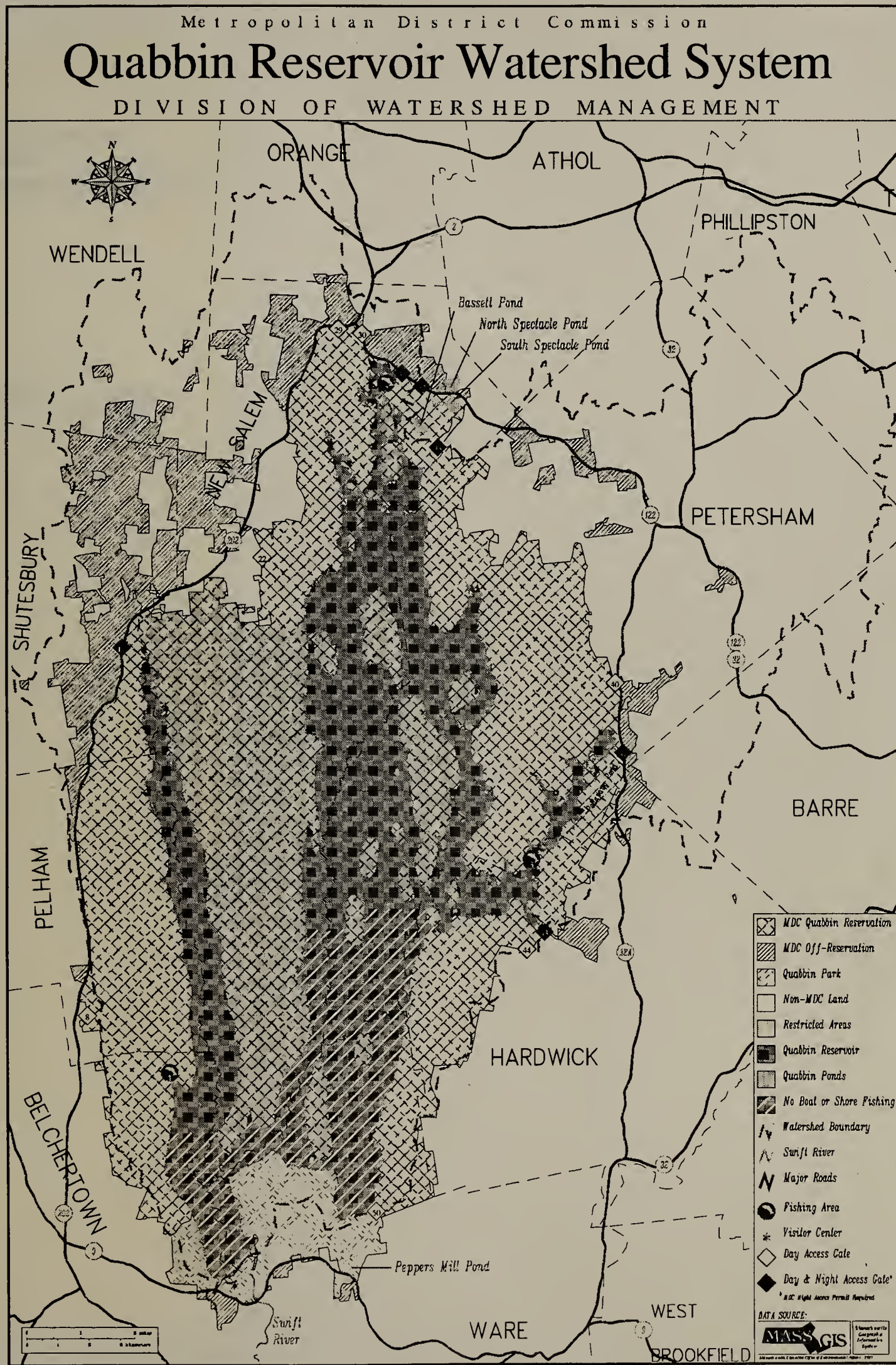
Signed _____

STATE POLICE & MDC USE ONLY

Quabbin Assembly Application approved _____
Signature

Quabbin Assembly Application rejected for the following reason(s): _____

Form 5 - Request for a MDC Assembly Permit - Quabbin Reservoir Watershed System



The Quabbin Reservoir is a public, drinking water supply for 2.5 million residents.

